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RESOLUTIONS ADOPTED BY GENERAL ASSEMBLY AT ITS RESUMED FIFTY-FIRST SESSION

From 31 January to 15 September 1997

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RESOLUTIONS ADOPTED WITHOUT REFERENCE TO A MAIN COMMITTEE

51/30 J Emergency international assistance for peace, normalcy and rehabilitation in Tajikistan

Date: 25 April 1997
Adopted without a vote

Meeting: 97
Draft: A/51/L.71 and Add.1

The General Assembly,

Recalling Security Council resolutions 1089 (1996) of 13 December 1996 and 1099 (1997) of 14 March 1997, and the statement by the President of the Security Council of 7 February 1997, 1/ in which the Council expressed its deep concern over the worsening of the humanitarian situation in Tajikistan,

Recalling also the statement by the President of the Security Council of 12 March 1997 2/ concerning the security and safety of United Nations and other international personnel associated with United Nations operations, as well as personnel of international humanitarian organizations,

Taking note of the reports of the Secretary-General of 5 December 1996 and of 5 March 1997 on the situation in Tajikistan, 3/

Supporting the efforts of the United Nations, in particular those of the Special Representative of the Secretary-General, aimed at achieving a comprehensive political settlement in the inter-Tajik talks, and those of the personnel of the United Nations Mission of Observers in Tajikistan,

Welcoming the recent agreements reached between the Government of Tajikistan and the United Tajik Opposition, 4/ in particular those signed in Mashhad, Islamic Republic of Iran, and Moscow, aimed at achieving national reconciliation, and urging the parties to continue their efforts to solve the conflict peacefully,

Deeply concerned at the impact of the conflict on the humanitarian situation and on the social and economic infrastructure of Tajikistan, and aware that the sharp decline in the provision of social, health and education services, lack of heating fuel for hospitals, schools and homes and the sharp drop in the real income of most families have made it increasingly difficult for large sections of the population in Tajikistan to meet their basic needs,

- 1 -

1/ S/PRST/1997/6.

2/ S/PRST/1997/13.

3/ S/1996/1010 and S/1997/198.

4/ S/1996/1070, annexes; S/1997/56, annexes; and S/1997/169, annexes.

Deplores the deterioration in the security situation, which necessitated the suspension of United Nations humanitarian activities in Tajikistan and has prevented the Organization from implementing fully the measures it had undertaken to ensure the coherent delivery of humanitarian assistance, in particular through the strengthening of coordination structures in Tajikistan,

Stressing the importance of ensuring the voluntary return, in safety and dignity, of all refugees and internally displaced persons to their places of permanent residence and of reintegrating them into the social and economic life of the country,

Deeply concerned about the danger posed by landmines in Tajikistan,

Bearing in mind the close interrelationship between ensuring peace and achieving national reconciliation in Tajikistan and the ability of the country to meet the humanitarian needs of its people and to take effective steps towards the rapid revitalization of the economy,

Affirming the urgent need to assist Tajikistan in its efforts to restore basic services and the infrastructure of the country,

Expressing its appreciation to the States, United Nations and other intergovernmental organizations and all relevant humanitarian organizations, agencies and non-governmental organizations, including the International Committee of the Red Cross, that have responded and continue to respond positively to the humanitarian needs of Tajikistan,

1. Encourages the efforts aimed at achieving national reconciliation in Tajikistan, and calls upon the parties to comply fully with all obligations they have assumed towards this goal, in particular to respect the ceasefire agreement;
2. Welcomes with appreciation the efforts undertaken by the Secretary-General in drawing the attention of the international community to the acute problems of Tajikistan and in mobilizing assistance for rehabilitation and reconstruction of the country;
3. Encourages Member States and others concerned to respond further both promptly and generously to the consolidated inter-agency donor alert on urgent humanitarian needs for the period from 1 December 1996 to 31 May 1997 launched by the Secretary-General;
4. Encourages States to contribute to the voluntary fund established by the Secretary-General in accordance with Security Council resolution 968 (1994) of 16 December 1994 in support of the implementation of the Agreement on a Temporary Ceasefire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks, signed at Tehran on 17 September 1994, 5/
5. Condemns terrorist acts and other acts of violence in Tajikistan, and calls upon the parties to ensure the safety, security and freedom of movement of United Nations and other international humanitarian personnel;
6. Encourages the parties to cooperate in order to reduce the threat from the indiscriminate use of landmines to the civil population of Tajikistan and to those providing humanitarian assistance, and welcomes in this regard the proposal to create a mine action centre in Tajikistan;
7. Requests the Secretary-General to continue to monitor the humanitarian situation in Tajikistan and to report to the General Assembly at its fifty-second session on the progress made in the implementation of the present resolution;

8. Decides to consider at its fifty-second session the question of the situation of Tajikistan under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance".

51/196 B The situation of democracy and human rights in Haiti

Date: 31 July 1997

Meeting: 105

Adopted without a vote

Draft: A/51/L.77/Rev.1 and Rev.1/Add.1

The General Assembly,

Having considered the item entitled "The situation of democracy and human rights in Haiti",

Recalling all its relevant resolutions, as well as those adopted on the question by the Security Council, the Economic and Social Council and the Commission on Human Rights,

Taking note of the relevant resolutions adopted on the question by the Organization of American States,

Reaffirming that the goal of the international community remains the full observance of human rights and fundamental freedoms and the promotion of social and economic development in Haiti,

Paying tribute to the Haitian people in their ongoing quest for a strong and lasting democracy, justice and economic prosperity,

Reaffirming its support to the people and the Government of Haiti and for their efforts to advance democracy, respect for human rights and the reconstruction of Haiti,

Taking note of the postponement of the second round of partial elections, and expressing the hope that the Haitian people will shortly be able to express themselves once again through free, honest and transparent elections,

Strongly supporting the continuing leadership of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States in the efforts of the international community in furthering political progress in Haiti,

Welcoming the continued efforts by States to provide humanitarian assistance and technical cooperation to the people of Haiti,

Supporting fully the contribution of the International Civilian Mission to Haiti, its Executive Director and staff, and of the United Nations Support Mission in Haiti in the establishment of a climate of freedom and tolerance propitious to the full observance of human rights and the full restoration of the constitutional democracy of Haiti, and welcoming the cooperation of the International Civilian Mission with the United Nations Support Mission and others participating in institution-building, including police training activities,

Taking note of the report of the Secretary-General of 26 June 1997 on the situation of democracy and human rights in Haiti, ^{6/} and the request of 30 November 1996 from the President of the Republic of Haiti to the Secretary-General of the United Nations, ^{7/}

^{6/} A/51/935.

^{7/} A/51/703, annex.

Welcoming the continuing improvement in the situation of human rights in Haiti, and noting the policy statements by Haitian authorities that the Government of Haiti remains committed to upholding human rights and improving accountability,

1. Welcomes the recommendation of the Secretary-General contained in his report to renew the mandate of the joint participation of the United Nations with the Organization of American States in the International Civilian Mission to Haiti, with the tasks of:

(a) Providing technical assistance at the request of the Government of Haiti in the field of institution-building, such as the training of the police and support for efforts towards judicial reform and the establishment of an impartial judiciary;

(b) Supporting the development of a programme for the promotion and protection of human rights, in order to further the establishment of a climate of freedom and tolerance propitious to the consolidation of long-term constitutional democracy in Haiti and to contribute to the strengthening of democratic institutions;

(c) Verifying full observance by Haiti of human rights and fundamental freedoms;

2. Decides to authorize, on the basis of the above recommendation, the renewal of the mandate of the United Nations component of the International Civilian Mission to Haiti until 31 December 1997, according to the terms of reference and modalities under which the Mission is operating;

3. Requests the Secretary-General to continue to develop appropriate means to identify resources for the Mission within the limits of the approved budget for the current biennium;

4. Also requests the Secretary-General to submit, no later than 30 November 1997, a report to the General Assembly on the implementation of the present resolution and the ways in which the international community can continue to assist with the tasks set out in paragraph 1 above;

5. Reaffirms once again the commitment of the international community to continue its technical, economic and financial cooperation with Haiti in support of its economic and social development efforts and in order to strengthen Haitian institutions responsible for dispensing justice and guaranteeing democracy, respect for human rights, political stability and economic development;

6. Requests the Secretary-General to continue to coordinate the efforts of the United Nations system in providing humanitarian aid and contributing to the development of Haiti;

7. Decides to include in the provisional agenda of its fifty-second session the item entitled "The situation of democracy and human rights in Haiti".

51/198 United Nations Verification Mission in Guatemala

<u>Resolution</u>	<u>Date</u>	<u>Vote</u>	<u>Meeting</u>	<u>Draft</u>
B	27 March 1997	Adopted without a vote	94	A/51/L.69 and Add.1
C	31 July 1997	Adopted without a vote	105	A/51/L.75 and Add.1

B

The General Assembly

Recalling its resolutions 45/15 of 20 November 1990, 46/109 A of 17 December 1991, 47/118 of 18 December 1992, 48/161 of 20 December 1993 and 48/267 of 19 September 1994, in which it decided to establish the Mission for the Verification of Human Rights and of Compliance with the Commitments of the

Comprehensive Agreement on Human Rights in Guatemala, and its resolutions 49/137 of 19 December 1994, 49/236 A of 31 March 1995, 49/236 B of 14 September 1995, 50/220 of 3 April 1996 and, in particular, 51/198 of 17 December 1996, in which it decided to authorize the renewal of the mandate of the Mission for a further period of three months, that is, until 31 March 1997, and requested the Secretary-General to submit recommendations on how the structure and staffing of the Mission should be redesigned to enable it to fulfil its new responsibilities after the signing at Guatemala City on 29 December 1996 by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca of the Agreement on a Firm and Lasting Peace, 8/

Recalling also the Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca of 10 January 1994, 9/ and all subsequent agreements, in which the parties agreed to request the United Nations to carry out international verification of the peace accords,

Welcoming the agreements between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca signed at Guatemala City on 29 December 1996, 10/ which, together with the overall package of peace accords signed previously at Madrid, Mexico City, Oslo and Stockholm, put a definitive end to the internal Guatemalan conflict and will foster national reconciliation and economic development,

Encouraged by progress made in the verification of the ceasefire, the separation of forces and the disarmament and demobilization of combatants of the Unidad Revolucionaria Nacional Guatemalteca by the group of military observers whose attachment to the Mission was authorized by the Security Council in its resolution 1094 (1997) of 20 January 1997,

Encouraged also by the establishment of the Follow-Up Commission, which will oversee implementation of the agreements, and by the preparatory work carried out with a view to the establishment of the historical clarification commission,

Taking into account the note by the Secretary-General transmitting the sixth report of the Director of the Mission, 11/

Acknowledging the support given to the Mission by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca,

Acknowledging also the efforts of the Secretary-General, the Group of Friends of the Guatemala peace process, 12/ the United Nations system and other international agencies throughout the process that culminated in the signing of the peace agreement,

Recalling the request of the parties that the United Nations verify all the agreements signed by them as reflected in the Framework Agreement of 10 January 1994 13/ and stressed in the Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements, 14/

8/ A/51/796-S/1997/114, annex II.

9/ A/49/61-S/1994/53, annex.

10/ A/51/796-S/1997/114, annexes I and II.

11/ A/51/790.

12/ The Group of Friends is composed of Colombia, Mexico, Norway, Spain, the United States of America and Venezuela.

13/ A/49/61-S/1994/53, annex.

14/ A/51/796-S/1997/114, annex I.

Recalling also the letter of the Secretary-General to the Presidents of the General Assembly and the Security Council, 15/ proposing that a new mission, to be called the United Nations Verification Mission in Guatemala, subsume the functions currently performed by the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala,

having considered the recommendations of the Secretary-General regarding the restructuring of the Mission to enable it to fulfil its new responsibilities and the renewal of its mandate, as contained in his report on the Mission, 16/

1. Welcomes the report of the Secretary-General on the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala; 17/

2. Takes note with satisfaction of the sixth report of the Director of the Mission; 18/

3. Commends the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca for their sustained efforts in search of peace, which culminated with the signing of the historic agreement of 29 December 1996;

4. Calls upon both parties to continue to implement fully the commitments they entered into in the Comprehensive Agreement on Human Rights 19/ and those in the other agreements that have come into effect with the signing of the Agreement on a Firm and Lasting Peace; 20/

5. Decides to authorize the renewal of the mandate of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA), to be known henceforth as the United Nations Verification Mission in Guatemala, for a further period of one year, that is, until 31 March 1998, to carry out international verification of the peace accords in accordance with the recommendations of the Secretary-General;

6. Requests the Secretary-General to continue to develop appropriate means to identify resources for the Mission within the limits of the approved budget for the current biennium;

7. Requests the Secretary-General to submit a report to it with his recommendations on the structure and staffing of the Mission after 31 March 1998;

8. Invites the international community to intensify its support for peace-related activities in Guatemala, through voluntary contributions to the Trust Fund for the Guatemala Peace Process established by the Secretary-General and through other mechanisms provided for by the international donor community;

9. Requests the Secretary-General to keep the General Assembly fully informed on the implementation of the present resolution.

15/ A/51/794-S/1997/106.

16/ A/51/828.

17/ Ibid.

18/ A/51/790, annex.

19/ A/51/695-S/1996/998.

20/ A/51/796-S/1997/114, annex II.

C

The General Assembly,

Recalling its resolution 51/198 B of 27 March 1997, in which it extended the mandate of the United Nations Verification Mission in Guatemala until 31 March 1998,

Welcoming the timely implementation of the Agreement on the Definitive Ceasefire, 21/

Having considered the report of the Secretary-General relating to verification of the peace accords,

1. Welcomes the report of the Secretary-General on the United Nations Verification Mission in Guatemala; 22/

2. Takes note with satisfaction of the progress made so far in the implementation of the peace accords;

3. Commends the Government of Guatemala, the Unidad Revolucionaria Nacional Guatemalteca and the Guatemalan people, institutions and organizations for their participation in the implementation process;

4. Encourages the two parties and all sectors of the Guatemalan society to join efforts for the implementation of all steps provided for in the second phase of the Agreement on the Implementation Compliance and Verification Timetable for the Peace Agreements, 23/ until 31 December 1997;

5. Reiterates its full support for the comprehensive agenda of democratic, equitable and multicultural development included in the accords, and invites the international community to continue cooperating in the establishment of most favourable conditions for its realization;

6. Requests the Secretary-General to keep the General Assembly fully informed on the implementation process in the light of the present resolution.

51/199 B El Salvador

Date: 31 July 1997

Adopted without a vote

Meeting: 105

Draft: A/51/L.76 and Add.1

The General Assembly,

Recalling its resolutions on the situation in Central America and, in particular resolution 51/199 of 17 December 1996, by which it, inter alia, decided that the responsibilities of verification and good offices entrusted to the United Nations should be executed through periodic visits to El Salvador by a high-level envoy from New York, who would keep the Secretary-General informed on a regular basis, and that the envoy would be assisted for a period of six months in the discharge of those responsibilities by a small support unit in El Salvador, working with the administrative support of the United Nations Development Programme,

21/ S/1996/1045, annex.

22/ A/51/935.

23/ A/51/796-S/1997/114, annex I.

Having considered the report of the Secretary-General of 1 July 1997 containing an assessment of the peace process in El Salvador, 24/

Paying tribute to the efforts that have been made by the people of El Salvador to achieve the general objectives of the peace process established by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) as contained in the Geneva Agreement of 4 April 1990, 25/

Paying tribute also to the contribution made by the various United Nations mission in El Salvador - the United Nations Observer Mission in El Salvador, the Mission of the United Nations in El Salvador and the United Nations Office of Verification in El Salvador; as well as the support unit and the envoy of the Secretary-General to the implementation of the peace accords in El Salvador,

Welcoming the progress made in the past five years towards a society characterized by democracy, the rule of law and respect for human rights,

Acknowledging with gratitude the contributions of Member States that have made available personnel and voluntary funding to the support unit for the envoy of the Secretary-General in El Salvador and to technical assistance projects in support of the peace process,

1. Welcomes the continuing commitment of the Government and people of El Salvador to the consolidation of the peace process;
2. Urges all concerned to continue working together to complete the implementation of the peace process in El Salvador without delay;
3. Decides that, taking into account the recommendation contained in the report of the Secretary-General, the support unit for his envoy in El Salvador should be closed down as a separate entity, as it has concluded its mandate;
4. Welcomes the proposal of the Secretary-General to assign two international Professionals and two local consultants as a unit under the administrative structure of the United Nations Development Programme, for a period of six months, funded by the available balance under the Trust Fund for the Mission of the United Nations in El Salvador, to follow up on the outstanding elements of the peace accords, while the verification and good offices responsibilities of the Organization would continue to be carried out from New York;
5. Emphasizes the importance of the continued cooperation of the various agencies, offices and programmes of the United Nations system active in El Salvador in the consolidation of the peace process;
6. Calls upon Member States and international institutions to maintain their political, technical and financial support to the efforts of the Government and people of El Salvador to promote peace, freedom, democracy and development in that country;
7. Requests the Secretary-General to keep it informed of further developments in the implementation of the peace process in El Salvador, as he deems appropriate.

24/ A/51/917.

25/ A/45/706-S/21931, annex I.

51/223

Israeli settlement activities in the occupied Palestinian territory, in particular in occupied East Jerusalem

Date: 13 March 1997
Vote: 130-2-2 (recorded)

Meeting: 93
Draft: A/51/L.68 and Add.1

The General Assembly,

Having considered the letters dated 21, 25 and 27 February 1997 from the Permanent Observer of Palestine on behalf of the States members of the League of Arab States (A/51/805-S/1997/149, A/51/808-S/1997/157 and S/1997/165),

Expressing deep concern at the decision of the Government of Israel to initiate new settlement activities in the Jebel Abu Ghneim area in East Jerusalem,

Expressing concern about other recent measures that encourage or facilitate new settlement activities,

Stressing that such settlements are illegal and a major obstacle to peace,

Recalling its resolutions on Jerusalem and other relevant General Assembly and Security Council resolutions,

Confirming that all legislative and administrative measures and actions taken by Israel which purport to alter the status of Jerusalem, including expropriation of land and properties thereon, are invalid and cannot change that status,

Reaffirming its support for the Middle East Peace Process and all its achievements, including the recent Agreement on Hebron,

Concerned about the difficulties facing the Middle East Peace Process, including the impact these have on the living conditions of the Palestinian people, and urging the parties to fulfil their obligations, including under the agreements already reached,

Having discussed the situation at its 91st, 92nd and 93rd plenary meetings on 12 and 13 March 1997,

1. Calls upon the Israeli authorities to refrain from all actions or measures, including settlement activities, which alter the facts on the ground, pre-empting the final status negotiations, and have negative implications for the Middle East Peace Process;
2. Calls upon Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, which is applicable to all the territories occupied by Israel since 1967;
3. Calls upon all parties to continue, in the interests of peace and security, their negotiations within the Middle East Peace Process on its agreed basis and the timely implementation of the agreements reached;
4. Requests the Secretary-General to bring to the attention of the Government of Israel the provisions of this resolution.

RECORDED VOTE ON RESOLUTION 51/223:

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's

Republic of Korea, Denmark, Djibouti, Egypt, El Salvador, Estonia, Finland, France, Germany, Ghana, Greece, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovak Republic, Slovenia, Solomon Island, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syria, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Israel, United States.

Abstaining: Federated States of Micronesia, Marshall Islands.

Absent: Albania, Barbados, Cameroon, Eritrea, Ethiopia, Fiji, Gabon, Mali, Monaco, Niger, Palau, Panama, Rwanda, Saint Kitts and Nevis*, Saint Lucia*, Turkmenistan, Zaire, Zambia.

* Later advised the Secretariat it had intended to vote in favour.

51/229 Convention on the Law of the Non-navigational Uses of International Watercourses

Date: 21 May 1997

Meeting: 99

Vote: 103-3-27 (recorded)

Draft: A/51/L.72 and Add 1

Report: A/51/869, para.10

The General Assembly

Bearing in mind Article 13, paragraph 1 (a) of the Charter of the United Nations,

Recalling its resolution 2669 (XXV) of 8 December 1970, by which it recommended the International Law Commission to take up the study of the law of the non-navigational uses of international watercourses with a view to its progressive development and codification,

Recalling also that the International Law Commission submitted a final set of draft articles on the law of the non-navigational uses of international watercourses in chapter III of its report on the work of its forty-sixth session, 26/

Recalling further its resolutions 49/52 of 9 December 1994 and 51/206 of 17 December 1996, by which it decided that the Sixth Committee would convene as a working group of the whole, open to States Members of the United Nations or members of the specialized agencies, to elaborate a framework convention on the law of the non-navigational uses of international watercourses, and that on completion of its mandate the working group of the whole should report directly to the General Assembly,

Having considered the report of the Sixth Committee convening as the Working Group of the Whole 27/ and expressing its gratitude for the work done,

26/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 10 (A/49/10).

27/ A/51/869.

1. Expresses its deep appreciation to the International Law Commission for its valuable work on the law of the non-navigational uses of international watercourses and to the successive special rapporteurs for their contribution to that work;

2. Adopts the Convention on the Law of the Non-Navigational Uses of International Watercourses, contained in paragraph 10 of the report of the Working Group of the Whole, 28/ and requests the Secretary-General as depositary to open it for signature;

3. Invites States and regional economic integration organizations to become parties to the Convention.

The Working Group of the Whole recommends to the General Assembly the adoption of the following draft Convention:

Convention on the Law of the Non-navigational Uses
of International Watercourses

The Parties to the present Convention,

Conscious of the importance of international watercourses and the non-navigational uses thereof in many regions of the world,

Having in mind Article 13, paragraph 1 (a), of the Charter of the United Nations, which provides that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification,

Considering that successful codification and progressive development of rules of international law regarding non-navigational uses of international watercourses would assist in promoting and implementing the purposes and principles set forth in Articles 1 and 2 of the Charter of the United Nations,

Taking into account the problems affecting many international watercourses resulting from, among other things, increasing demands and pollution,

Expressing the conviction that a framework convention will ensure the utilization, development, conservation, management and protection of international watercourses and the promotion of the optimal and sustainable utilization thereof for present and future generations,

Affirming the importance of international cooperation and good-neighbourliness in this field,

Aware of the special situation and needs of developing countries,

Recalling the principles and recommendations adopted by the United Nations Conference on Environment and Development of 1992 in the Rio Declaration and Agenda 21,

Recalling also the existing bilateral and multilateral agreements regarding the non-navigational uses of international watercourses,

Mindful of the valuable contribution of international organizations, both governmental and non-governmental, to the codification and progressive development of international law in this field,

Appreciative of the work carried out by the International Law Commission on the law of the non-navigational uses of international watercourses,

Bearing in mind United Nations General Assembly resolution 49/52 of 9 December 1994,

Have agreed as follows:

PART I. INTRODUCTION

Article 1

Scope of the present Convention

1. The present Convention applies to uses of international watercourses and of their waters for purposes other than navigation and to measures of protection, preservation and management related to the uses of those watercourses and their waters.
2. The uses of international watercourses for navigation is not within the scope of the present Convention except insofar as other uses affect navigation or are affected by navigation.

Article 2

Use of terms

For the purposes of the present Convention:

- (a) "Watercourse" means a system of surface waters and groundwaters constituting by virtue of their physical relationship a unitary whole and normally flowing into a common terminus;
- (b) "International watercourse" means a watercourse, parts of which are situated in different States;
- (c) "Watercourse State" means a State Party to the present Convention in whose territory part of an international watercourse is situated, or a Party that is a regional economic integration organization, in the territory of one or more of whose Member States part of an international watercourse is situated;
- (d) "Regional economic integration organization" means an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by this Convention and which has been duly authorized in accordance with its internal procedures, to sign, ratify, accept, approve or accede to it.

Article 3

Watercourse agreements

1. In the absence of an agreement to the contrary, nothing in the present Convention shall affect the rights or obligations of a watercourse State arising from agreements in force for it on the date on which it became a party to the present Convention.
2. Notwithstanding the provisions of paragraph 1, parties to agreements referred to in paragraph 1 may, where necessary, consider harmonizing such agreements with the basic principles of the present Convention.
3. Watercourse States may enter into one or more agreements, hereinafter referred to as "watercourse agreements", which apply and adjust the provisions of the present Convention to the characteristics and uses of a particular international watercourse or part thereof.

4. Where a watercourse agreement is concluded between two or more watercourse States, it shall define the waters to which it applies. Such an agreement may be entered into with respect to an entire international watercourse or any part thereof or a particular project, programme or use except insofar as the agreement adversely affects, to a significant extent, the use by one or more other watercourse States of the waters of the watercourse, without their express consent.

5. Where a watercourse State considers that adjustment and application of the provisions of the present Convention is required because of the characteristics and uses of a particular international watercourse, watercourse States shall consult with a view to negotiating in good faith for the purpose of concluding a watercourse agreement or agreements.

6. Where some but not all watercourse States to a particular international watercourse are parties to an agreement, nothing in such agreement shall affect the rights or obligations under the present Convention of watercourse States that are not parties to such an agreement.

Article 4

Parties to watercourse agreements

1. Every watercourse State is entitled to participate in the negotiation of and to become a party to any watercourse agreement that applies to the entire international watercourse, as well as to participate in any relevant consultations.

2. A watercourse State whose use of an international watercourse may be affected to a significant extent by the implementation of a proposed watercourse agreement that applies only to a part of the watercourse or to a particular project, programme or use is entitled to participate in consultations on such an agreement and, where appropriate, in the negotiation thereof in good faith with a view to becoming a party thereto, to the extent that its use is thereby affected.

PART II. GENERAL PRINCIPLES

Article 5

Equitable and reasonable utilization and participation

1. Watercourse States shall in their respective territories utilize an international watercourse in an equitable and reasonable manner. In particular, an international watercourse shall be used and developed by watercourse States with a view to attaining optimal and sustainable utilization thereof and benefits therefrom, taking into account the interests of the watercourse States concerned, consistent with adequate protection of the watercourse.

2. Watercourse States shall participate in the use, development and protection of an international watercourse in an equitable and reasonable manner. Such participation includes both the right to utilize the watercourse and the duty to cooperate in the protection and development thereof, as provided in the present Convention.

Article 6

Factors relevant to equitable and reasonable utilization

1. Utilization of an international watercourse in an equitable and reasonable manner within the meaning of article 5 requires taking into account all relevant factors and circumstances, including:

- (a) Geographic, hydrographic, hydrological, climatic, ecological and other factors of a natural character;
 - (b) The social and economic needs of the watercourse States concerned;
 - (c) The population dependent on the watercourse in each watercourse State;
 - (d) The effects of the use or uses of the watercourses in one watercourse State on other watercourse States;
 - (e) Existing and potential uses of the watercourse;
 - (f) Conservation, protection, development and economy of use of the water resources of the watercourse and the costs of measures taken to that effect;
 - (g) The availability of alternatives, of comparable value, to a particular planned or existing use.
2. In the application of article 5 or paragraph 1 of this article, watercourse States concerned shall, when the need arises, enter into consultations in a spirit of cooperation.
3. The weight to be given to each factor is to be determined by its importance in comparison with that of other relevant factors. In determining what is a reasonable and equitable use, all relevant factors are to be considered together and a conclusion reached on the basis of the whole.

Article 7

Obligation not to cause significant harm

1. Watercourse States shall, in utilizing an international watercourse in their territories, take all appropriate measures to prevent the causing of significant harm to other watercourse States.
2. Where significant harm nevertheless is caused to another watercourse State, the States whose use causes such harm shall, in the absence of agreement to such use, take all appropriate measures, having due regard for the provisions of articles 5 and 6, in consultation with the affected State, to eliminate or mitigate such harm and, where appropriate, to discuss the question of compensation.

Article 8

General obligation to cooperate

1. Watercourse States shall cooperate on the basis of sovereign equality, territorial integrity, mutual benefit and good faith in order to attain optimal utilization and adequate protection of an international watercourse.
2. In determining the manner of such cooperation, watercourse States may consider the establishment of joint mechanisms or commissions, as deemed necessary by them, to facilitate cooperation on relevant measures and procedures in the light of experience gained through cooperation in existing joint mechanisms and commissions in various regions.

Article 9

Regular exchange of data and information

1. Pursuant to article 8, watercourse States shall on a regular basis exchange readily available data and information on the condition of the watercourse, in particular that of a hydrological, meteorological, hydrogeological and ecological nature and related to the water quality as well as related forecasts.
2. If a watercourse State is requested by another watercourse State to provide data or information that is not readily available, it shall employ its best efforts to comply with the request but may condition its compliance upon payment by the requesting State of the reasonable costs of collecting and, where appropriate, processing such data or information.
3. Watercourse States shall employ their best efforts to collect and, where appropriate, to process data and information in a manner which facilitates its utilization by the other watercourse States to which it is communicated.

Article 10

Relationship between different kinds of uses

1. In the absence of agreement or custom to the contrary, no use of an international watercourse enjoys inherent priority over other uses.
2. In the event of a conflict between uses of an international watercourse, it shall be resolved with reference to articles 5 to 7, with special regard being given to the requirements of vital human needs.

PART III. PLANNED MEASURES

Article 11

Information concerning planned measures

Watercourse States shall exchange information and consult each other and, if necessary, negotiate on the possible effects of planned measures on the condition of an international watercourse.

Article 12

Notification concerning planned measures with possible adverse effects

Before a watercourse State implements or permits the implementation of planned measures which may have a significant adverse effect upon other watercourse States, it shall provide those States with timely notification thereof. Such notification shall be accompanied by available technical data and information, including the results of any environmental impact assessment, in order to enable the notified States to evaluate the possible effects of the planned measures.

Article 13Period for reply to notification

Unless otherwise agreed:

(a) A watercourse State providing a notification under article 12 shall allow the notified States a period of six months within which to study and evaluate the possible effects of the planned measures and to communicate the findings to it;

(b) This period shall, at the request of a notified State for which the evaluation of the planned measures poses special difficulty, be extended for a period of six months.

Article 14Obligations of the notifying State during the period for reply

During the period referred to in article 13, the notifying State:

(a) Shall cooperate with the notified States by providing them, on request, with any additional data and information that is available and necessary for an accurate evaluation; and

(b) Shall not implement or permit the implementation of the planned measures without the consent of the notified States.

Article 15Reply to notification

The notified States shall communicate their findings to the notifying State as early as possible within the period applicable pursuant to article 13. If a notified State finds that implementation of the planned measures would be inconsistent with the provisions of articles 5 or 7, it shall attach to its finding a documented explanation setting forth the reasons for the finding.

Article 16Absence of reply to notification

1. If, within the period applicable pursuant to article 13, the notifying State receives no communication under article 15, it may, subject to its obligations under articles 5 and 7, proceed with the implementation of the planned measures, in accordance with the notification and any other data and information provided to the notified States.

2. Any claim to compensation by a notified State which has failed to reply within the period applicable pursuant to article 13 may be offset by the costs incurred by the notifying State for action undertaken after the expiration of the time for a reply which would not have been undertaken if the notified State had objected within that period.

Article 17

Consultations and negotiations concerning planned measures

1. If a communication is made under article 15 that implementation of the planned measures would be inconsistent with the provisions of articles 5 or 7, the notifying State and the State making the communication shall enter into consultations and, if necessary, negotiations with a view to arriving at an equitable resolution of the situation.
2. The consultations and negotiations shall be conducted on the basis that each State must in good faith pay reasonable regard to the rights and legitimate interests of the other State.
3. During the course of the consultations and negotiations, the notifying State shall, if so requested by the notified State at the time it makes the communication, refrain from implementing or permitting the implementation of the planned measures for a period of six months unless otherwise agreed.

Article 18

Procedures in the absence of notification

1. If a watercourse State has reasonable grounds to believe that another watercourse State is planning measures that may have a significant adverse effect upon it, the former State may request the latter to apply the provisions of article 12. The request shall be accompanied by a documented explanation setting forth its grounds.
2. In the event that the State planning the measures nevertheless finds that it is not under an obligation to provide a notification under article 12, it shall so inform the other State, providing a documented explanation setting forth the reasons for such finding. If this finding does not satisfy the other State, the two States shall, at the request of that other State, promptly enter into consultations and negotiations in the manner indicated in paragraphs 1 and 2 of article 17.
3. During the course of the consultations and negotiations, the State planning the measures shall, if so requested by the other State at the time it requests the initiation of consultations and negotiations, refrain from implementing or permitting the implementation of those measures for a period of six months unless otherwise agreed.

Article 19

Urgent implementation of planned measures

1. In the event that the implementation of planned measures is of the utmost urgency in order to protect public health, public safety or other equally important interests, the State planning the measures may, subject to articles 5 and 7, immediately proceed to implementation, notwithstanding the provisions of article 14 and paragraph 3 of article 17.
2. In such case, a formal declaration of the urgency of the measures shall be communicated without delay to the other watercourse States referred to in article 12 together with the relevant data and information.
3. The State planning the measures shall, at the request of any of the States referred to in paragraph 2, promptly enter into consultations and negotiations with it in the manner indicated in paragraphs 1 and 2 of article 17.

PART IV. PROTECTION, PRESERVATION AND MANAGEMENT

Article 20

Protection and preservation of ecosystems

Watercourse States shall, individually and, where appropriate, jointly, protect and preserve the ecosystems of international watercourses.

Article 21

Prevention, reduction and control of pollution

1. For the purpose of this article, "pollution of an international watercourse" means any detrimental alteration in the composition or quality of the waters of an international watercourse which results directly or indirectly from human conduct.
2. Watercourse States shall, individually and, where appropriate, jointly, prevent, reduce and control the pollution of an international watercourse that may cause significant harm to other watercourse States or to their environment, including harm to human health or safety, to the use of the waters for any beneficial purpose or to the living resources of the watercourse. Watercourse States shall take steps to harmonize their policies in this connection.
3. Watercourse States shall, at the request of any of them, consult with a view to arriving at mutually agreeable measures and methods to prevent, reduce and control pollution of an international watercourse, such as:
 - (a) Setting joint water quality objectives and criteria;
 - (b) Establishing techniques and practices to address pollution from point and non-point sources;
 - (c) Establishing lists of substances the introduction of which into the waters of an international watercourse is to be prohibited, limited, investigated or monitored.

Article 22

Introduction of alien or new species

Watercourse States shall take all measures necessary to prevent the introduction of species, alien or new, into an international watercourse which may have effects detrimental to the ecosystem of the watercourse resulting in significant harm to other watercourse States.

Article 23

Protection and preservation of the marine environment

Watercourse States shall, individually and, where appropriate, in cooperation with other States, take all measures with respect to an international watercourse that are necessary to protect and preserve the marine environment, including estuaries, taking into account generally accepted international rules and standards.

Article 24Management

1. Watercourse States shall, at the request of any of them, enter into consultations concerning the management of an international watercourse, which may include the establishment of a joint management mechanism.
2. For the purposes of this article, "management" refers, in particular, to:
 - (a) Planning the sustainable development of an international watercourse and providing for the implementation of any plans adopted; and
 - (b) Otherwise promoting the rational and optimal utilization, protection and control of the watercourse.

Article 25Regulation

1. Watercourse States shall cooperate, where appropriate, to respond to needs or opportunities for regulation of the flow of the waters of an international watercourse.
2. Unless otherwise agreed, watercourse States shall participate on an equitable basis in the construction and maintenance or defrayal of the costs of such regulation works as they may have agreed to undertake.
3. For the purposes of this article, "regulation" means the use of hydraulic works or any other continuing measure to alter, vary or otherwise control the flow of the waters of an international watercourse.

Article 26Installations

1. Watercourse States shall, within their respective territories, employ their best efforts to maintain and protect installations, facilities and other works related to an international watercourse.
2. Watercourse States shall, at the request of any of them which has reasonable grounds to believe that it may suffer significant adverse effects, enter into consultations with regard to:
 - (a) The safe operation and maintenance of installations, facilities or other works related to an international watercourse; and
 - (b) The protection of installations, facilities or other works from wilful or negligent acts or the forces of nature.

PART V. HARMFUL CONDITIONS AND EMERGENCY SITUATIONSArticle 27Prevention and mitigation of harmful conditions

Watercourse States shall, individually and, where appropriate, jointly, take all appropriate measures to prevent or mitigate conditions related to an international watercourse that may be harmful to other watercourse States, whether resulting from natural causes or human conduct, such as flood or ice conditions, water-borne diseases, siltation, erosion, salt-water intrusion, drought or desertification.

Article 28

Emergency situations

1. For the purposes of this article, "emergency" means a situation that causes, or poses an imminent threat of causing, serious harm to watercourse States or other States and that results suddenly from natural causes, such as floods, the breaking up of ice, landslides or earthquakes, or from human conduct, such as industrial accidents.
2. A watercourse State shall, without delay and by the most expeditious means available, notify other potentially affected States and competent international organizations of any emergency originating within its territory.
3. A watercourse State within whose territory an emergency originates shall, in cooperation with potentially affected States and, where appropriate, competent international organizations, immediately take all practicable measures necessitated by the circumstances to prevent, mitigate and eliminate harmful effects of the emergency.
4. When necessary, watercourse States shall jointly develop contingency plans for responding to emergencies, in cooperation, where appropriate, with other potentially affected States and competent international organizations.

PART VI. MISCELLANEOUS PROVISIONS

Article 29

International watercourses and installations in time of armed conflict

International watercourses and related installations, facilities and other works shall enjoy the protection accorded by the principles and rules of international law applicable in international and non-international armed conflict and shall not be used in violation of those principles and rules.

Article 30

Indirect procedures

In cases where there are serious obstacles to direct contacts between watercourse States, the States concerned shall fulfil their obligations of cooperation provided for in the present Convention, including exchange of data and information, notification, communication, consultations and negotiations, through any indirect procedure accepted by them.

Article 31

Data and information vital to national defence or security

Nothing in the present Convention obliges a watercourse State to provide data or information vital to its national defence or security. Nevertheless, that State shall cooperate in good faith with the other watercourse States with a view to providing as much information as possible under the circumstances.

Article 32Non-discrimination

Unless the watercourse States concerned have agreed otherwise for the protection of the interests of persons, natural or juridical, who have suffered or are under a serious threat of suffering significant transboundary harm as a result of activities related to an international watercourse, a watercourse State shall not discriminate on the basis of nationality or residence or place where the injury occurred, in granting to such persons, in accordance with its legal system, access to judicial or other procedures, or a right to claim compensation or other relief in respect of significant harm caused by such activities carried on in its territory.

Article 33Settlement of disputes

1. In the event of a dispute between two or more Parties concerning the interpretation or application of the present Convention, the Parties concerned shall, in the absence of an applicable agreement between them, seek a settlement of the dispute by peaceful means in accordance with the following provisions.
2. If the Parties concerned cannot reach agreement by negotiation requested by one of them, they may jointly seek the good offices of, or request mediation or conciliation by, a third party, or make use, as appropriate, of any joint watercourse institutions that may have been established by them or agree to submit the dispute to arbitration or to the International Court of Justice.
3. Subject to the operation of paragraph 10, if after six months from the time of the request for negotiations referred to in paragraph 2, the Parties concerned have not been able to settle their dispute through negotiation or any other means referred to in paragraph 2, the dispute shall be submitted, at the request of any of the parties to the dispute, to impartial fact-finding in accordance with paragraphs 4 to 9, unless the Parties otherwise agree.
4. A Fact-finding Commission shall be established, composed of one member nominated by each Party concerned and in addition a member not having the nationality of any of the Parties concerned chosen by the nominated members who shall serve as Chairman.
5. If the members nominated by the Parties are unable to agree on a Chairman within three months of the request for the establishment of the Commission, any Party concerned may request the Secretary-General of the United Nations to appoint the Chairman who shall not have the nationality of any of the parties to the dispute or of any riparian State of the watercourse concerned. If one of the Parties fails to nominate a member within three months of the initial request pursuant to paragraph 3, any other Party concerned may request the Secretary-General of the United Nations to appoint a person who shall not have the nationality of any of the parties to the dispute or of any riparian State of the watercourse concerned. The person so appointed shall constitute a single-member Commission.
6. The Commission shall determine its own procedure.
7. The Parties concerned have the obligation to provide the Commission with such information as it may require and, on request, to permit the Commission to have access to their respective territory and to inspect any facilities, plant, equipment, construction or natural feature relevant for the purpose of its inquiry.
8. The Commission shall adopt its report by a majority vote, unless it is a single-member Commission, and shall submit that report to the Parties concerned setting forth its findings and the reasons therefor and such recommendations as it deems appropriate for an equitable solution of the dispute, which the Parties concerned shall consider in good faith.
9. The expenses of the Commission shall be borne equally by the Parties concerned.

10. When ratifying, accepting, approving or acceding to the present Convention, or at any time thereafter, a Party which is not a regional economic integration organization may declare in a written instrument submitted to the Depositary that, in respect of any dispute not resolved in accordance with paragraph 2, it recognizes as compulsory ipso facto and without special agreement in relation to any Party accepting the same obligation:

(a) Submission of the dispute to the International Court of Justice; and/or

(b) Arbitration by an arbitral tribunal established and operating, unless the parties to the dispute otherwise agreed, in accordance with the procedure laid down in the annex to the present Convention.

A Party which is a regional economic integration organization may make a declaration with like effect in relation to arbitration in accordance with subparagraph (b).

PART VII. FINAL CLAUSES

Article 34

Signature

The present Convention shall be open for signature by all States and by regional economic integration organizations from ...until ...at United Nations Headquarters in New York.

Article 35

Ratification, acceptance, approval or accession

1. The present Convention is subject to ratification, acceptance, approval or accession by States and by regional economic integration organizations. The instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the United Nations.

2. Any regional economic integration organization which becomes a Party to this Convention without any of its member States being a Party shall be bound by all the obligations under the Convention. In the case of such organizations, one or more of whose member States is a Party to this Convention, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under the Convention. In such cases, the organization and the member States shall not be entitled to exercise rights under the Convention concurrently.

3. In their instruments of ratification, acceptance, approval or accession, the regional economic integration organizations shall declare the extent of their competence with respect to the matters governed by the Convention. These organizations shall also inform the Secretary-General of the United Nations of any substantial modification in the extent of their competence.

Article 36

Entry into force

1. The present Convention shall enter into force on the ninetieth day following the date of deposit of the thirty-fifth instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations.

2. For each State or regional economic integration organization that ratifies, accepts or approves the Convention or accedes thereto after the deposit of the thirty-fifth instrument of ratification, acceptance,

approval or accession, the Convention shall enter into force on the ninetieth day after the deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession.

3. For the purposes of paragraphs 1 and 2, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by States.

Article 37

Authentic texts

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto, have signed this Convention.

DONE at New York, this ____ day of _____ one thousand nine hundred and ninety-seven.

ANNEX

ARBITRATION

Article 1

Unless the parties to the dispute otherwise agree, the arbitration pursuant to article 33 of the Convention shall take place in accordance with articles 2 to 14 of the present annex.

Article 2

The claimant party shall notify the respondent party that it is referring a dispute to arbitration pursuant to article 33 of the Convention. The notification shall state the subject matter of arbitration and include, in particular, the articles of the Convention, the interpretation or application of which are at issue. If the parties do not agree on the subject matter of the dispute, the arbitral tribunal shall determine the subject matter.

Article 3

1. In disputes between two parties, the arbitral tribunal shall consist of three members. Each of the parties to the dispute shall appoint an arbitrator and the two arbitrators so appointed shall designate by common agreement the third arbitrator, who shall be the Chairman of the tribunal. The latter shall not be a national of one of the parties to the dispute or of any riparian State of the watercourse concerned, nor have his or her usual place of residence in the territory of one of these parties or such riparian State, nor have dealt with the case in any other capacity.

2. In disputes between more than two parties, parties in the same interest shall appoint one arbitrator jointly by agreement.

3. Any vacancy shall be filled in the manner prescribed for the initial appointment.

Article 4

1. If the Chairman of the arbitral tribunal has not been designated within two months of the appointment of the second arbitrator, the President of the International Court of Justice shall, at the request of a party, designate the Chairman within a further two-month period.
2. If one of the parties to the dispute does not appoint an arbitrator within two months of receipt of the request, the other party may inform the President of the International Court of Justice, who shall make the designation within a further two-month period.

Article 5

The arbitral tribunal shall render its decisions in accordance with the provisions of this Convention and international law.

Article 6

Unless the parties to the dispute otherwise agree, the arbitral tribunal shall determine its own rules of procedure.

Article 7

The arbitral tribunal may, at the request of one of the Parties, recommend essential interim measures of protection.

Article 8

1. The parties to the dispute shall facilitate the work of the arbitral tribunal and, in particular, using all means at their disposal, shall:
 - (a) Provide it with all relevant documents, information and facilities; and
 - (b) Enable it, when necessary, to call witnesses or experts and receive their evidence.
2. The parties and the arbitrators are under an obligation to protect the confidentiality of any information they receive in confidence during the proceedings of the arbitral tribunal.

Article 9

Unless the arbitral tribunal determines otherwise because of the particular circumstances of the case, the costs of the tribunal shall be borne by the parties to the dispute in equal shares. The tribunal shall keep a record of all its costs, and shall furnish a final statement thereof to the parties.

Article 10

Any Party that has an interest of a legal nature in the subject matter of the dispute which may be affected by the decision in the case, may intervene in the proceedings with the consent of the tribunal.

Article 11

The tribunal may hear and determine counterclaims arising directly out of the subject matter of the dispute.

Article 12

Decisions both on procedure and substance of the arbitral tribunal shall be taken by a majority vote of its members.

Article 13

If one of the parties to the dispute does not appear before the arbitral tribunal or fails to defend its case, the other party may request the tribunal to continue the proceedings and to make its award. Absence of a party or a failure of a party to defend its case shall not constitute a bar to the proceedings. Before rendering its final decision, the arbitral tribunal must satisfy itself that the claim is well founded in fact and law.

Article 14

1. The tribunal shall render its final decision within five months of the date on which it is fully constituted unless it finds it necessary to extend the time limit for a period which should not exceed five more months.
2. The final decision of the arbitral tribunal shall be confined to the subject matter of the dispute and shall state the reasons on which it is based. It shall contain the names of the members who have participated and the date of the final decision. Any member of the tribunal may attach a separate or dissenting opinion to the final decision.
3. The award shall be binding on the parties to the dispute. It shall be without appeal unless the parties to the dispute have agreed in advance to an appellate procedure.
4. Any controversy which may arise between the parties to the dispute as regards the interpretation or manner of implementation of the final decision may be submitted by either party for decision to the arbitral tribunal which rendered it.

RECORDED VOTE ON RESOLUTION 51/229:

In favour: Albania, Algeria, Angola, Antigua and Barbuda, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Estonia, Federated States of Micronesia, Finland, Gabon, Georgia, Germany, Greece, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao Peoples Democratic Republic, Latvia, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Papua New Guinea, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Sudan, Suriname, Sweden, Syria, Thailand, Trinidad and Tobago, Tunisia, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Venezuela, Viet Nam, Yemen, Zambia.

Against: Burundi, China, Turkey.

Abstaining: Andorra, Argentina, Azerbaijan, Belgium*, Bolivia, Bulgaria, Colombia, Cuba, Ecuador, Egypt, Ethiopia, France, Ghana, Guatemala, India, Israel, Mali, Monaco, Mongolia, Pakistan, Panama, Paraguay, Peru, Rwanda, Spain, United Republic of Tanzania, Uzbekistan.

Absent: Afghanistan, Bahamas, Barbados, Belize, Benin, Bhutan, Cape Verde, Comoros, Democratic People's Republic of Korea, Dominican Republic, El Salvador, Eritrea, Fiji*, Guinea, Lebanon, Mauritania, Myanmar, Niger, Nigeria*, Palau, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Solomon Islands, Sri Lanka, Swaziland, Tajikistan, The former Yugoslav Republic of Macedonia, Turkmenistan, Uganda, Zaire, Zimbabwe.

* Later advised the Secretariat it had intended to vote in favour.

51/230 Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons

Date: 22 May 1997

Meeting: 100

Adopted without a vote

Draft: A/51/L.73 and Add.1

The General Assembly

Noting that the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Paris, 13 January 1993) entered into force on 29 April 1997, and whereby the Organization for the Prohibition of Chemical Weapons was established,

Recognizing the need to establish an appropriate relationship between the United Nations and the organization,

Considering it essential to the prompt and effective functioning of the organization that its inspectors be able to use the United Nations laissez-passer as an official travel document,

1. Invites the Secretary-General to take steps to conclude with the Director-General of the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons an agreement between the United Nations and the organization to regulate the relationship between the two organizations, to be applied provisionally upon signature, pending the completion of procedures necessary for its entry into force;

2. Authorizes the Secretary-General, pending the conclusion of the relationship agreement, to enter with the Director-General of the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons, as a matter of urgency, into a temporary arrangement, concerning the issuance of the United Nations laissez-passer to members of the organization's inspection teams, to be used as a valid travel document, where such use is recognized by States parties to the Convention.

51/238 Use of the Special Voluntary Fund and the Trust Fund

Date: 17 June 1997

Meeting: 102

Adopted without a vote

Draft: A/51/L.74

The General Assembly

Recalling paragraph 15 of its resolution 47/188 of 22 December 1992 relating to a special voluntary fund to assist developing countries affected by desertification and drought, in particular the least developed countries, to participate fully and effectively in the negotiation process of the Intergovernmental Negotiating Committee for the Elaboration of an International Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,

Recalling also paragraph 13 of its resolution 47/188 and paragraph 8 of resolution 50/112 of 20 December 1995 relating to the possibility of using the trust fund to support the participation of representatives of non-governmental organizations in the work of the Committee,

Recalling also paragraph 13 (b) of its resolution 51/180 of 16 December 1996 concerning the maintenance of arrangements relating to extrabudgetary funds,

Noting with pleasure the entry into force on 26 December 1996 of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,

1. Decides that the head of the interim secretariat, under the authority of the Secretary-General, shall have the possibility of using the Special Voluntary Fund, as appropriate, to assist developing countries affected by desertification and drought, in particular the least developed countries, to participate fully and effectively in the first Conference of the Parties;
2. Decides further that the head of the interim secretariat, under the authority of the Secretary-General, shall have the possibility of using the Trust Fund, as appropriate, to support also the participation of representatives of non-governmental organizations in the work of the first Conference of the Parties.

51/240 Agenda for Development

Date: 20 June 1997
Adopted without a vote

Meeting: 103
Report: A/51/45

The General Assembly

Recalling its resolution 49/126 of 19 December 1994, in which it decided to establish an ad hoc open-ended working group of the Assembly to elaborate further an action-oriented, comprehensive agenda for development, which should begin its work as early as possible in 1995 under the chairmanship of the President of the Assembly,

1. Takes note of the report of the Ad Hoc Open-ended Working Group of the General Assembly on an Agenda for Development;
2. Adopts the Agenda for Development, as set forth in the annex to the present resolution.

Annex

AGENDA FOR DEVELOPMENT

1. Development is one of the main priorities of the United Nations. Development is a multidimensional undertaking to achieve a higher quality of life for all people. Economic development, social development and environmental protection are interdependent and mutually reinforcing components of sustainable development.

Sustained economic growth is essential to the economic and social development of all countries, in particular developing countries. Through such growth, which should be broadly based so as to benefit all people, countries will be able to improve the standards of living of their people through the eradication of poverty, hunger, disease and illiteracy, the provision of adequate shelter and secure employment for all, and the preservation of the integrity of the environment.

Democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are also an essential part of the necessary foundations for the realization of social and people centred sustainable development.

The empowerment of women and their full participation on a basis of equality in all spheres of society is fundamental for development.

2. Building on the outcome of recent United Nations conferences and other relevant agreements, the Agenda for Development aims at invigorating a renewed and strengthened partnership for development, based on the imperatives of mutual benefits and genuine interdependence. It testifies to the renewed commitments of all countries to mobilize national and international efforts in pursuit of sustainable development and to revitalize and strengthen international cooperation for development. In that context, the Agenda for Development acknowledges the primacy of national policy and measures in the development process and calls for action towards a dynamic and enabling international economic environment, including, *inter alia*, an open, rule based, equitable, secure, non-discriminatory, transparent, and predictable multilateral trading system and promotion of investment and transfer of technology and knowledge, as well as for an enhanced international cooperation in the mobilization and provision of financial resources for development from all sources, the strategy for durable solutions to the external debt and debt-servicing problems of developing countries and the efficient use of available resources.

I. SETTING AND OBJECTIVES

A. Setting

1. Development, peace and security

3. Peace and development are closely interrelated and mutually supportive. Development should also be pursued in its own right. Development is indispensable to the achievement and maintenance of peace and security both within and among nations. Without development there can be neither peace nor security. There is complementarity between the processes related to the Agenda for Development and the Agenda for Peace. For peace and stability to endure, national action and effective international cooperation are required to promote a better life for all in larger freedom, a critical element of which is the eradication of poverty.

4. Development cannot be attained in the absence of peace and security or in the absence of respect for all human rights and fundamental freedoms. Under conditions of war, and during periods of short-term emergencies and humanitarian needs, development efforts are often neglected, diminished or abandoned. Excessive military expenditures, arms trade, investment for arms production, acquisition and stockpiling have a negative impact on development prospects. With the relaxation of international tensions the opportunity exists for reducing, as appropriate, military expenditures and investments for arms production and acquisition, consistent with national security requirements, in order to increase resources for social and economic development.

(a) Globalization, regional cooperation and interdependence: the need for a commitment for partnership

5. Profound changes have occurred, especially coupled with the end of the cold war, which question some of the traditional ways of addressing the challenge of development.

6. One such increasingly important change affecting all countries is the process of market-driven globalization, including due to rapid progress in information exchange and telecommunications. Globalization encompasses the varying degrees of increasing integration of world markets of goods, services, capital, technology, and labour. This has generated greater openness, freer movement of factors of production and created greater opportunities for international cooperation. Greatly increased trade and capital flows and technological developments open new opportunities for growth of the world economy, particularly in developing countries. Wider dissemination of ideas, cultures, and lifestyles brought about by

innovations in transportation and communications are also important manifestations of the globalization process. Globalization permits countries to share experiences and to learn from one another's achievements and difficulties, and promote a cross-fertilization of ideals, cultural values and aspirations, taking into account the recognition of cultural diversity.

7. Globalization of the world economy presents opportunities and challenges for the development process as well as risks and uncertainties. As a result of the process of globalization and growing interdependence in the economic, social and environmental fields, an increasing number of issues cannot be effectively addressed by countries individually. Therefore, international cooperation is required. Furthermore, non-State actors with a global reach, such as transnational corporations, private financial institutions and non-governmental organizations, have important roles to play in the emerging network of international cooperation.

8. Greater interdependence among States has accelerated the international transmission of macroeconomic policy decisions and therefore their effects throughout the global economy. This is particularly true for the development prospects of the developing countries, which have been particularly affected by globalization.

9. Global financial integration presents new challenges and opportunities for the international community. Sound domestic macroeconomic policies of each country in regard to promoting macroeconomic stability and growth are primary elements for determining private capital flows, and the coordination of macroeconomic policies, where appropriate, and a favourable international economic environment play an important role in reinforcing their effectiveness. The globalization of financial markets can generate new risks of instability, including interest rate and exchange rate fluctuations and volatile short-term capital flows, which require all countries to pursue sound economic policies and to recognize the external economic impact of their domestic policies. There is a need for the expansion of private capital flows and for broader access by all developing countries to these flows, and therefore the need for the international community to assist low-income countries, especially those in Africa, in their efforts to create an enabling environment necessary to attract such flows.

10. Increasing the capacity to respond to these trends requires sound domestic policies as well as a favourable international economic environment. Although new growth poles are emerging in a number of developing countries which will provide an increasing share of the stimulus to world development, it is likely that the role of the developed countries in world finance will remain preponderant for a long time. The policies they follow in their domestic affairs will, in the increasingly globalized capital markets, be of decisive importance for the rest of the world as they have a significant influence on world economic growth and, consequently, over the international economic environment.

11. Notwithstanding the importance of a favourable international economic environment, ultimately each country bears primary responsibility for its own economic and social policies for development. In order to take advantage of a rapidly integrating world economy, all countries should adopt sound and stable domestic policies, address external and internal imbalances, and encourage a continuous process of adjustment. Sound national policies are also essential for cushioning external shocks. National policies of all countries would also benefit from improved political institutions and legal systems. In this context, the international community should give strong support to the efforts of developing countries to solve their serious social and economic problems and should promote a favourable international economic environment for development.

12. Globalization and interdependence are deepening the need and creating greater opportunities for international cooperation. The problems and questions which globalization and interdependence bring in their wake, show that there clearly exists a shared, common interest among all countries in solving and answering them. International development cooperation, not only founded in solidarity, but also based on mutual interest and partnership, forms an essential part of this effort. With the waning of ideological confrontations, the rise in globalization, and the deepening of interdependence among nations, the historic opportunity has arisen for constructive dialogue among all countries, in particular among the developed and developing countries, and political mobilization for the promotion of international cooperation for

development based on genuine partnership and mutuality of interests and benefits. This Agenda for Development manifests our commitment to grasp this opportunity.

13. The deepening interdependence among countries has already led to the emergence and strengthening of regional economic groupings and arrangements. They are recognized as important catalysts for global economic growth and expansion of trade. They offer a framework for fostering and enhancing cooperation among States not only on economic policy but on other areas of common concern as well. Regional economic groupings and arrangements which are outward oriented, supportive of and complementary to the multilateral trading system are important actors in the global development process.

(b) Variety of development experiences and impact of globalization

14. Development experiences among countries reflect differences with both progress and setbacks. A number of developing countries have experienced rapid economic growth over the recent past and have become dynamic partners in the international economy. These countries, which maintain a high rate of economic growth, have increased their share in world trade and foreign direct investment, thereby expanding their role in the global economy.

15. At the same time, developing countries continue to face difficulties participating in the globalization process. Many risk being marginalized and effectively excluded from the globalization process. Many of them continue to be mired in poverty, hunger and malnutrition, and economic stagnation, including slow or negative economic growth. The global changes in finance, communications and technology have largely bypassed them, despite their efforts of undertaking economic reforms, including structural adjustment programmes. The gap between the developed and developing countries remains unacceptably wide. Imbalances and uncertainties continue to exist in the global economy which affect all countries but in particular the interests of the developing countries. We reiterate the need for broadening and strengthening the participation of developing countries in the international economic decision-making process.

16. The development spectrum ranges widely not only among countries but also within countries. The varied country situations indicate that in addition to overall measures needed for the promotion of a favourable international economic environment for development, there is a need for specific measures in particular country situations. Success will often depend on the removal of key constraints which vary greatly from country to country. Cooperation among developing countries and sharing their experiences can greatly contribute to achieving such success. It also requires that international development cooperation has to take into account the respective plans, programmes, needs, priorities and policies of developing countries. A new international partnership is required for development at the national, subregional, regional and international levels.

(c) Critical situations and special problems in developing countries :

- Critical situation in Africa
- Critical situation in the least developed countries
- Special problems in small island developing States
- Special problems in landlocked developing countries

17. The critical socio-economic situation in Africa is of priority concern. Africa is the only region where poverty is expected to continue to increase substantially. Much of the continent suffers from, inter alia, inadequate physical and institutional infrastructure, poor human resource development, lack of food security, malnutrition, hunger, widespread epidemics and diseases, and unemployment and underemployment. These conditions are further compounded by a number of conflict and disaster situations. All these diverse limitations and constraints make it difficult for Africa to fully benefit from the processes of globalization and liberalization of trade and to integrate fully in the world economy. Increased mobilization of domestic and external resources for development, as well as their more effective use, are critical for the success of the

economic and political reforms undertaken by African countries. International solidarity is fundamental to Africa's development and international cooperation and support must necessarily complement the national resources mobilized by the African countries themselves.

18. The critical situations of the least developed countries, which are particularly marginalized from the world economy, require the priority attention of the entire international community, in support of appropriate domestic economic and social policies. The heavy burden of debt and debt service on their economies, deterioration in the terms of trade, decline in real terms in recent years in the overall level of official development assistance (ODA) and limited flows of private resources are some of the main factors that impede the already limited opportunities for these countries to participate in and benefit from the process of globalization and liberalization. By most measures of economic and human well-being, the least developed countries lag seriously behind. Their social indicators are consistently low and have worsened in some cases. Their institutional and physical infrastructure is fragile and therefore enhanced national and international support are required to strengthen them.

19. The special problems of small island developing States also need to be given priority attention by the international community. The special challenges and constraints to their development arising from, inter alia, their limited market size and resource base, from their particular transportation and communication problems, and from their high degree of vulnerability to natural and environmental disaster need to be addressed.

20. Lack of territorial access to the sea, aggravated by remoteness and isolation from world markets, prohibitive transit costs and risks impose serious constraints on the overall socio-economic development efforts of the landlocked developing countries. The special challenges and constraints specific to these countries need to be addressed.

(d) Post-cold war realities and challenges

(i) Special problems and features of countries with economies in transition

21. The special problems and features of countries with economies in transition require particular attention in the post-cold war era. The dual transition to democracy and to a market economy makes their situation especially complex particularly regarding their economic growth and sustainable development. This ongoing process is guided by and based on the respect for human rights, transparent, representative and accountable governance, the rule of law and civil peace.

22. Considerable strains are put on the social fabric of these societies of the countries with economies in transition. Structural adjustments bring economic benefits but are causing social problems which were unknown before the transition. Severe environmental degradation, a worsening population situation and the problem of conversion of military production to civilian in these countries are of primary concern.

23. The completion of the transition process and the integration of these countries in the world economy and their effective involvement in the multilateral institutions will have a positive impact not only on these countries themselves but also on the global economy. Thus, it is especially important for them to promote effective cooperation in trade, economy, finance, science and technology with all countries and regions. Their integration should contribute to economic cooperation with developing countries and to mutually beneficial exchanges of scientific and industrial know-how. Increased cooperation among countries with economies in transition will also be important. In order to bring this integration about in a speedy manner, effective international support for reforms in these countries is essential both in terms of financial resources and of institutional expertise. The measures that should be undertaken in this regard must ensure the maximization of the benefits from and the minimization of the negative effects of trends in the world economy for all countries in particular for developing countries.

(ii) The end of the cold war and the developing countries

24. While the end of the cold war has fostered a new spirit of dialogue and cooperation at the global political level, there is a need to improve the international economic environment so that it is more conducive to the socio-economic development of developing countries, including through the fulfilment of commitments agreed to at the recent major United Nations conferences.

25. In the post cold war situation, the record of development is so far a mixed one. The successful conclusion of the Uruguay Round on multilateral trade negotiations, the consensus on development arising from recent major United Nations conferences and the expansion in private flows to developing countries are positive developments. On the other hand, the recent decline in real terms of ODA, the deterioration in terms of trade and the risk of marginalization from the world economy of developing countries, in particular the least developed countries, are particular concerns. The international community and multilateral financial institutions and the World Trade Organization (WTO) should focus their attention on ways to address these concerns effectively.

(e) Democracy, transparent and accountable governance, and the promotion and protection of all human rights and fundamental freedoms, including the right to development

26. The waning of ideological conflicts has improved the climate of cooperation at all levels. Although there is no universal prescription for successful development, a consensus has emerged, *inter alia*, that economic development, social development and environmental protection are interdependent and mutually reinforcing components of sustainable development, which is the framework of our efforts to achieve a higher quality of life for all people. In this context, we reaffirm that democracy, development and respect for human rights and fundamental freedoms, including the right to development, are interdependent and mutually reinforcing.

27. Respect for all human rights and fundamental freedoms, democratic and effective institutions, combating corruption, transparent, representative and accountable governance, popular participation, an independent judiciary, the rule of law and civil peace are among the indispensable foundations for development. At the same time, we reaffirm that the right to development is a universal and inalienable right and an integral part of human rights. As stated in the Declaration on the Right to Development, the human person is the central subject of development. Development facilitates the enjoyment of all human rights, but the lack of development may not be invoked to justify the abridgement of internationally recognized human rights.

28. Efforts to reinforce democratic institutions and actions are vital for achieving peace and economic and social progress. Social stability, needed for productive growth, is nurtured by conditions in which people can readily express their will. For this, strong national institutions of participation are essential.

29. The existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile. It is unacceptable that absolute poverty, hunger and disease, lack of adequate shelter, illiteracy and hopelessness should be the lot of over one billion people. We commit ourselves to the goal of eradicating poverty in the world through decisive national actions and international cooperation as an ethical social, political and economic imperative of humankind.

30. Democracy, which is spreading everywhere, has raised development expectations everywhere. Lack of their fulfilment risks the rekindling of non-democratic forces. Structural reforms that do not take social realities into account could destabilize democratization processes as they exacerbate the reaching of that fulfilment. While it is recognized that States have the primary responsibility in securing a sound and stable national political, economic and social environment for development, international support, at the request of interested Governments, and the creation of a favourable international economic environment are crucial ingredients in this effort.

31. It is increasingly recognized that the State's role in development should be complemented by other relevant actors of the civil society, including the private sector. The State has the overall responsibility in various areas, including, *inter alia*, social, economic and environmental policy formulation, and for creating

an enabling environment for the private sector; the State should encourage effective participation by the private sector and major groups in activities which complement and reinforce national objectives.

32. Every State has an inalienable right to choose its political, economic, social, and cultural systems, without interference in any form by another State. By virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter.

B. Objectives

1. Strengthening international cooperation for development

(a) Implementing all international agreements and commitments for development

33. The new opportunities, challenges and risks opened by the globalization and growing interdependence in the world economy, the critical situation and special problems in many developing countries and the special problems of economies in transition heighten the need for strengthened international cooperation. A strong political will is essential to sustain such cooperation. Through this Agenda, we renew our commitment and seek to impart new vigour to a global partnership for development.

34. The international community has convened over the past five years or so a number of major conferences and meetings which have adopted decisions and made commitments on key development issues aimed at reinvigorating the development process and international cooperation for development. These include the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, the International Development Strategy for the Fourth United Nations Development Decade, the World Conference on Education for All held in Jomtien, Thailand, the Second United Nations Conference on the Least Developed Countries, the World Summit for Children, the United Nations New Agenda for the Development of Africa in the 1990s, the Cartagena Commitment, Agenda 21 and the various consensus agreements and conventions adopted before, at, or after the United Nations Conference on Environment and Development, the World Conference on Human Rights, the Global Conference on Small Island Developing States, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women, the ninth session of the United Nations Conference on Trade and Development (UNCTAD), the United Nations Conference on Human Settlements (Habitat II) and the World Food Summit.

35. These conferences bear witness that the United Nations system is and should continue to be more actively involved in the full spectrum of development issues. The accords, commitments and internationally agreed targets reached at these conferences should be fully implemented by all States and international organizations. Only through full implementation can we give credence to the notion that these development initiatives are truly a priority issue for the international community.

36. Such implementation requires foremost political will by all actors at all levels. Too often the gap between what has been agreed and what has been implemented leaves much to be desired both at the national and international levels. The commitments we have made individually and collectively need to be fulfilled if the development needs of all countries, particularly of the developing countries, are to be addressed effectively.

37. To this end we reaffirm, through this Agenda for Development, the continued relevance of the agreements reached at these international conferences and other meetings of the United Nations and stress the need for an integrated, interrelated and coherent implementation and coordinated follow-up to these conferences.

(b) Enhancing the role, capacity, effectiveness and efficiency of the United Nations system in development

38. As we approach the twenty-first century, it is the collective responsibility of the international community to ensure that within the multidimensional and integrated character of its mandate the United Nations system is equipped to show leadership in the fulfilment of the commitments made on international cooperation for development, and to serve as a forum for the expression of global goals and as an advocate for the promotion and protection of all human rights, including the right to development and the protection of the environment, as well as to respond to humanitarian assistance requirements and to maintain peace and international security.

39. The United Nations system, by virtue of its global reach, its universal membership, its impartiality and the unique and comprehensive mandate reflected in its Charter has a vital role to play in the development process. Enhancing this role, capacity, effectiveness and efficiency requires a continuous focus on development issues and ensuring its sound financial basis.

40. The wide array of issues which the United Nations system addresses, is reflected in its various functions, such as those of the specialized agencies, including the Bretton Woods institutions, and the regional commissions. Each part of the system has a specific role to play in addressing these issues. Relative strengths and weaknesses among the various parts of the system cannot be ignored. Enhancing the role, capacity, effectiveness and efficiency of the United Nations system has to take these basic facts into account and programmes should be concentrated on areas where particular needs and the special capacity of the Organization converge.

41. However, overarching these considerations of efficiency and effectiveness of delivery, is the political dimension of the development agenda. The United Nations is unique because it conducts international political debates on all issues in the economic, social and related fields. These debates should provide political impetus to other fora to undertake the necessary policies and measures. Hence, the United Nations political interaction not only with Member States, the specialized agencies, including the Bretton Woods institutions, and the regional commissions, as well as with organizations such as the World Trade Organization, but also with non-state actors should be intensified with a view to enhancing effective action and coordination among them in the economic, social and related fields.

42. This Agenda for Development sets out a new framework for international cooperation, defines the role of the United Nations, and how both can make a particular contribution, and sets out the development priorities as well as time-frames for implementation and keeps the implementation of the development agenda under political review.

2. Promoting development based on an integrated approach

43. Sustained economic growth is essential for expanding the resource base for development and hence, for economic, technical and social transformation. It generates the required financial, physical, human and technological resources. It is also essential to the eradication of poverty. An open and equitable framework for trade, investment and technology transfer, as well as enhanced cooperation in the management of a globalized world economy and in the formulation and implementation of macroeconomic policies, are critical for the promotion of growth and development. While the private sector is a motor for economic growth, the government has an active and essential role in the formulation of economic, social and environmental policies.

44. In order to ensure an integrated approach to development centred on human beings and to achieve sustainable development, economic growth on its own is not sufficient and environmental protection cannot be considered in isolation from the development process. The goal of development is the improvement of human well-being and the quality of life. This involves the eradication of poverty, the fulfilment of the basic needs of all people and the protection of all human rights and fundamental freedoms, including the right to development. It requires that Governments apply active social and environmental policies, and the promotion and protection of all human rights and fundamental freedoms on the basis of democratic and widely participatory institutions.

45. Investments in health, education and training are particularly critical in the development of human resources and should be pursued in such a way that everyone, both women and men, are given an equal opportunity to participate actively and productively in the development process. The improvement of the role and status of women, including their empowerment, is central to all efforts to achieve sustainable development in its economic, social and environmental dimensions. Diversion of resources away from social priorities and needs should be avoided and, where it has occurred, be corrected. Basic social programmes and expenditures, in particular those affecting people living in poverty and the disadvantaged and vulnerable groups of society, should be protected from budget reductions. When formulating and implementing structural adjustment policies and programmes such considerations should be taken into account.

46. Development is and should be centred on human beings. Economic development, social development and environmental protection are interdependent and mutually reinforcing components of sustainable development, which is the framework of efforts to achieve a higher quality of life for all people. As the well-being of human beings depends on all facets of development, a multidimensional approach to development is essential. Therefore, any formulation of strategies, policies, and national, subregional, regional and international actions has to be based on an integrated and comprehensive approach. It is in this spirit that we frame this Agenda for Development. All of the areas identified for action are closely interrelated for implementation of this Agenda.

II. POLICY FRAMEWORK, INCLUDING MEANS OF IMPLEMENTATION

47. An encouraging development in recent years has been the almost universal pursuit of increased economic openness and integration. This has contributed to a growing economic and social interdependence among countries. It is a common responsibility and in the common interest to ensure that these trends continue and also to ensure that all countries benefit from them. The last point is fundamental: the benefits attributable to these various changes have been widespread, but they have been neither universal nor achieved without costs. A primary objective of the implementation of this Agenda should be to contribute in such a way that the benefits stemming from future growth and development are distributed equitably among all countries and peoples.

48. Achieving and maintaining an international environment favourable to all countries is in the interest of all countries. Global economic, environmental and social issues can be approached effectively only through a constructive dialogue and genuine partnership among all countries. This requires a recognition not only of the mutuality of interests and benefits but also of common, though differentiated, responsibilities. This mutual understanding has permeated the ongoing sequence of United Nations world conferences and summits.

49. However, some of the commitments and agreements for development, including those referring to international development cooperation, resulting from these conferences and summits, as well as from previous international undertakings, remain to be fulfilled. These commitments, as well as the new and additional priority actions identified here, should be implemented in the spirit of solidarity and partnership. In this context, efforts should be made to mobilize public support for development cooperation, *inter alia*, through a strategy based on partnership between developed and developing countries, which incorporates, as appropriate, mutually agreed goals for development.

A. Economic development

1. Macroeconomic policies geared towards sustained economic growth and sustainable development

50. National developmental policies should be formulated in conformity with national needs, conditions and development priorities and should take into account the lessons learned from decades of development

experience. Among the latter, the dynamic role of the private sector and the contribution of human resource development in creating wealth figure prominently. The challenge for public authorities is, *inter alia*, to develop and implement policies that are conducive to prosperity, eradicate poverty and conserve the environment.

51. To this end, Governments should encourage a supportive environment for the private sector, including active competition policies, the application of the rule of law, an open framework for trade and investment and sound fiscal and monetary policies. In the area of finance, policies need both to promote domestic savings and to attract external resources for productive investment. For both purposes, it is necessary to improve the efficiency of domestic financial markets. Addressing the needs of people living in poverty, disadvantaged and vulnerable groups of society and the creation of more and better jobs requires attention to be given to conducive macroeconomic policies and to such issues as human resources development, gender equality, public participation and social integration. Social and environmental factors should be considered as important elements to be taken into account by all countries in the formulation and implementation of macroeconomic policies. Particular attention should be paid to the effect of structural adjustment programmes on people living in poverty and on disadvantaged and vulnerable groups of society.

52. Increased economic integration and interdependence places greater responsibilities than before on all countries, but particularly the developed countries, to contribute to ensuring that their domestic policies are favourable to economic growth and development in the rest of the world. National and international actions are closely interrelated and should be seen as mutually reinforcing components of the overall goal of achieving development. In order to foster a supportive international environment for development, countries should pursue economic stability, full employment, a low rate of inflation, sustainable external and internal balances, including the avoidance of excessive budget deficits, low long-term real interest rates and a measure of exchange rate stability. They should also ensure open financial and commercial markets and, where appropriate, provide concessional aid flows.

53. International cooperation in the formulation and implementation of macroeconomic policies should be reinforced with a view to promoting greater coherence and consistency of domestic policies and thereby enhancing their effectiveness. Measures should also be taken to broaden the cooperation among monetary authorities in order to maintain a sound international financial system. This enhanced cooperation should take full account of the interests and concerns of all countries. Multilateral surveillance should correspondingly address the policies and measures of all countries.

2. International trade and commodities

54. The growing, though far from complete, integration of all countries in world trade and investment represents an historic structural change in international economic relations. In recent years, developing countries' trade has increased, largely as a result of their liberalization policies concerning trade and investment. The expansion of developing countries' markets appears to be creating a virtuous circle in which mutually beneficial liberalization of trade and investment can become major means for generating the resources necessary for development.

55. The liberalization of trade regimes and the promotion of an open and secure multilateral trading system are central requirements for the promotion of economic development. All Governments should commit themselves to the liberalization of trade and investment policies and should foster international cooperation towards this goal. All countries have a shared interest in an open, ruled-based equitable, non-discriminatory transparent and predictable multilateral trading system. While many provisions in this area have been identified by the General Assembly, over the last five years, the agreements as represented by the World Trade Organization (WTO) are particularly important. In this regard, the WTO dispute settlements mechanism is a key element for the credibility of the multilateral trade system. The Commitments agreed in the Final Act of the Uruguay Round should be implemented fully. Unilateral actions of a protectionist nature, inconsistent with multilateral trade agreements, should be avoided and prevented. Appropriate monitoring measures should be established to ensure that, in the implementation of the Uruguay Round, the rights, interests and concerns of all countries are protected, recognized and redressed.

56. There is a need to promote greater integration in the world economy of those countries which have not yet benefited from the overall increase in trade and investment flows, in particular African countries and the least developed countries. Special attention should be given to the full implementation of the specific provisions for the least developed countries, including the provisions emanating from the Marrakesh agreements, and to the needs of the net food-importing developing countries, so that all countries benefit fully from the results of the Uruguay Round. These measures will also require domestic efforts to promote greater diversification of these countries' trade and to increase the competitiveness of their trading sectors.

57. Efforts to make trade and environment policies mutually supportive in favour of sustainable development should continue. Trade liberalization measures should be complemented by sound environmental policies, but measures adopted for environmental purposes should not become a means of arbitrary and unjustifiable trade discrimination or a disguised form of protectionism. In the same vein, social concerns should not be used for protectionist purposes.

58. Commodity exports continue to play a key role in the economies of many developing countries, especially in terms of their export earnings, the livelihoods of their people, and the dependence of general economic vitality on these exports. This makes the continuing deterioration in their terms of trade of special concern, even if there is some recent evidence of improvement in the prices of some primary commodities. Increased participation of developing countries in the processing, marketing and distribution of their commodities, if accompanied by improved market access, provides an alternative means for ensuring greater value added, as well as predictability and increased export earnings, from commodity production. This diversification will require such countries to continue their macroeconomic, trade and investment policy reforms.

59. It will also require a strong commitment by the international community to support such policy reforms. The international community should endeavour to improve the functioning of commodity markets, with greater transparency and more stable and predictable conditions. There should be further evaluation of the usefulness of commodity agreements in this regard, taking into account the potential of new financial and trading instruments and techniques. Improved market access for primary commodities, especially in their processed forms, should be provided, particularly by developed countries. They should also respond favourably to requests for technical assistance aimed at enhancing the diversification of the export sector in those developing countries which are highly dependent on the export of a limited number of commodities. The strengthening of multilateral compensatory financing schemes is a further means of addressing the short-term difficulties that can arise as a result of heavy dependence on commodity exports.

60. UNCTAD must build upon its comparative advantage and offer support appropriate to the needs of developing countries to ensure that they participate in the world economy on a more equitable basis. The policy research and analytical work of UNCTAD must illuminate the changes in the global economy as they relate to trade, investment, technology, services and development. This work should be undertaken in cooperation with WTO and other relevant international institutions.

3. Issues of internal and external finance

(a) Mobilization of domestic resources for development

61. Both domestic and external resources are required for development. In most countries, domestic savings contribute by far the larger part of the resources utilized for investment and are mainly mobilized through national fiscal and monetary policies, including equitable taxation and fiscal incentives. Exploring new ways of generating new public and private financial resources, *inter alia*, through the appropriate reduction of excessive military expenditures, including global military expenditures and the arms trade, and investments for arms production and acquisition, taking into consideration national security requirements, so as to allow possible allocation of additional funds for social and economic development will be undertaken.

62. The experiences of those developing countries which have achieved high rates of economic growth in recent years show that sustained economic growth is linked to an effective strategy for domestic resource mobilization. These economies have maintained significantly higher rates of national savings and investment than other developing countries. However, some developing countries have limited scope for increasing savings because of their low per capita income levels and because levels of consumption are already low and are difficult to restrain further; these countries will continue to need substantial external resources as an important complement to domestic efforts to stimulate their development.

(b) External resources

63. Total net resource flows to developing countries have expanded rapidly in the 1990s. However, the trend has not been universal, in terms of either the types of financing or the recipients. Within the total, official (public sector) flows have languished; all the growth has been accounted for by an increase in the private sector component. Secondly, while some low-income countries have been the recipients of the increased private sector capital flows, others have not benefited at all.

(c) External debt

64. There is an urgent need for effective, equitable, development-oriented and durable solutions to the external debt and debt-servicing problems of developing countries, and to help them exit from the rescheduling process. The evolving debt strategy has contributed to the improvement in the debt situation of a number of developing countries. Debt-relief measures have been undertaken by creditor countries both within the framework of the Paris Club and through their cancellation and equivalent relief of bilateral official debt. Nevertheless, external debt and debt-servicing problems have persisted, particularly for the poorest and heavily indebted countries. Debt-service problems of middle-income countries should continue to be addressed effectively.

65. Those developing countries that have continued, at great cost to themselves, to meet their international debt and debt-service obligations in a timely fashion have done so despite serious external and domestic financial constraints.

(d) Official development assistance

66. Official development assistance (ODA) is a small proportion of a country's total resources for development, but is a significant source of external resources for many developing countries, particularly African countries and the least developed countries. As such, it can play an important complementary and catalytic role in promoting economic growth. Despite its critical importance, the overall decline in ODA is a serious cause for concern.

(e) Role of multilateral financial institutions

67. The multilateral financial institutions have an important role to play in meeting the challenges and urgent needs of development and the commitments made in a series of recent international conferences. Renewed efforts should be made in order to provide them with resources commensurate with their role, while pursuing ongoing efforts to increase efficiency and effectiveness. In order that international financial facilities, particularly the International Development Association (IDA), have more positive effects on development, the commitments for their replenishment should be fully implemented in a timely manner, thereby contributing more effectively to development.

(f) United Nations financing for development

68. At present, the capacity of United Nations funds and programmes to respond to the needs of developing countries is being threatened by the persistent insufficiency of resources for the operational development activities of the United Nations, in particular the decline in contributions to core resources. At the same time, the present sequence of global conferences and other international meetings has resulted in

a wide range of additional development demands being imposed on the United Nations. The efficiency, effectiveness, accountability, and impact of the operational activities of the United Nations system must also be enhanced.

(g) Private investment flows

69. Private resource flows to developing countries, including foreign direct investment (FDI), have increased in recent years. Key determinants for attracting external private sector capital are, *inter alia*, a stable domestic political, legal and economic environment, based on the rule of law, sound economic policies and an openness to foreign investment. Other factors include the prospects for growth and a favourable external environment.

70. The growth in FDI in developing countries is of particular importance since, in addition to finance, the recipient economy usually benefits in terms of technology transfer and enhanced access to export markets. However, FDI in developing countries, as well as the recent parallel surge in international portfolio investment, has been concentrated in the more advanced economies, the larger economies and those with high rates of economic growth. This situation needs to be addressed. There is also a need to promote favourable conditions for achieving international stability in private capital flows and to prevent the destabilization arising from swift movements of private capital flows.

(h) Peace dividend

71. When the cold war ended, a peace dividend appeared at hand. The relaxation of international tensions was thought to offer opportunities for reducing military spending worldwide and for using the resources so released to enhance spending on social and economic development for the benefit of all countries. There should be an appropriate reduction of excessive military expenditures, including global military expenditures and the arms trade, and investments for arms production and acquisition, taking into consideration national security requirements, so as to allow possible allocation of additional funds for social and economic development. While the reduction in global political tensions has yielded many benefits, the impact on development has not materialized in the tangible form or to the extent that was foreseen.

4. Science and technology

72. The ability of countries to participate in, benefit from and contribute to the rapid advances in science and technology can significantly influence their development. Hence, international cooperation efforts should be intensified and strengthened towards the developing countries' endogenous capacity-building in science and technology, including their capacity to utilize scientific and technological developments from abroad and to adapt them to suit local conditions. There is a need to promote, facilitate and finance, as appropriate, access to and transfer of environmentally sound technologies and the corresponding know-how, in particular to the developing countries on favourable terms, including on concessional and preferential terms, as mutually agreed, taking into account the need to protect intellectual property rights as well as the special needs of developing countries. In this regard, the international community is called upon to meet all the objectives as reaffirmed in chapter 34 of Agenda 21.

73. Promotion of science and technology for development calls for a clear definition of the respective roles in this area of the private sector, Governments and international organizations. The private sector plays a role in the productive application of science and technology and most commercially relevant technology is controlled by the private sector. Governments play a role in ensuring that there is a propitious environment for the development, access to, transfer, adaptation and application of environmentally sound technologies, and in providing appropriate regulatory frameworks and incentives for the development of scientific and technological capabilities. Promotion of science and technology for development also requires a labour force that has the professional and technical training necessary to utilize newly introduced technologies.

74. Developing countries should further advance their collective efforts in promoting technology research, training, development and dissemination, as well as facilitating the access and exchange through information and technology centres. This development calls for the continued and enhanced support from the international community through technical assistance and financing. The international community should also continue to promote the development of effective and mutually beneficial technological cooperation between countries with economies in transition and all other countries, including in the area of new and emerging technologies.

75. International cooperation can complement national science and technology policy measures and is necessary in areas where global interests are at stake. The world community has a common interest in the development and widespread dissemination of technology geared towards environmental protection and conservation and the rational use of energy and raw materials. Governments should implement the commitments they made in Agenda 21 on this subject.

5. South-South cooperation

76. South-South cooperation is an integral and dynamic part of international development cooperation. The end of the cold war, increasing globalization, liberalization, regional cooperation, and interdependence are all making such cooperation more imperative. The countries of the South exhibit common as well as varying development experiences and know-how which offer many opportunities at the bilateral, subregional, regional, interregional and international levels for greater cooperation between them. Grasping these opportunities will result in a stronger basis for their self-reliance and development as well as provide an important complement to international development cooperation.

77. Exploiting trade opportunities among countries of the South by undertaking trade promotion activities, devising payment arrangements and expanding availability of trade information is particularly important. At the same time, there are many other areas, such as communications, information, transportation, investments, science and technology, environment, food and agriculture, population, education, and human resource development, in which South-South cooperation can be fostered and promoted.

78. Technical cooperation, arrangements to improve market access, technical and financial assistance, sharing of knowledge and technology, and exchange of information are some of the many ways and actions by which developing countries that have been able to achieve social and economic progress can assist those that have been less successful. The concept of triangular cooperation, which involves, *inter alia*, technical, financial and other support by developed countries and international organizations for South-South cooperation, can also make a significant contribution to the promotion of cooperation among developing countries. All these collaborative efforts should be accorded high priority and increased support from the international community and assistance from all sources, including relevant multilateral institutions and non-State actors.

6. Regional economic cooperation

79. Regional economic integration and cooperation is increasingly recognized as a means towards expanding trade and investment opportunities, and for promoting economic growth and sustainable development and other forms of cooperation between countries of various regions. Regional arrangements can also contribute to growth of the world economy.

80. Regional economic integration and cooperation should be actively considered as a means of eliminating obstacles to trade and investment and of fostering economic cooperation within a region. However, there is the risk that regional organizations may turn inward and that the world will evolve into competing economic blocs. Therefore, reductions of barriers to trade and investment among members or participants in regional groupings should be consistent with internationally agreed rules, where applicable, and without detriment to other economies.

81. Regional economic groupings should be outward oriented and supportive of the multilateral trading system. This requires a strong commitment by the international community, in its pursuit of regional economic integration and cooperation, to open regionalism within the framework of an equitable, non-discriminatory and rule-based multilateral trading system.

82. Regional cooperation also provides a vehicle for addressing environmental and social issues of common concern. The development of common approaches to environmental problems of a transboundary nature is particularly pertinent. National efforts in combating poverty and unemployment and promoting social integration can also benefit from regional cooperation. Furthermore, possibilities could be explored to use regional forums as means of cooperation in supporting national action to promote and protect all human rights and fundamental freedoms, the rule of law and democratic institutions.

83. Regional integration and cooperation should be complementary and contributory to national policies and to global multilateralism. In order to take advantage of regionalism, multilateral economic and trade institutions must have the capacity to accommodate regional arrangements in their structures. The challenge is to use both global and regional arrangements in a mutually supportive way.

7. Development in agriculture, industry and the services sectors

84. The agricultural, industrial and services sectors need to be developed in a balanced manner. While it is recognized that the private sector is the primary contributor to sectoral development, Governments have an important role to play in creating the enabling environment for sectoral development to flourish, particularly in the agricultural and services sectors. Besides promoting a dynamic and competitive domestic economy, based on comparative advantages, and providing physical and institutional infrastructures, domestic sectoral policies should also seek to integrate the protection and conservation of the environment and the achievement of social development objectives into sectoral development plans.

85. In implementing sectoral policies, particular attention should be given to the potential of such policies to generate employment and contribute towards the eradication of poverty. In this context, the important contribution of small and medium-sized enterprises should be recognized. It is also essential to facilitate women's equal access to resources, training, employment, market and trade and to strengthen their economic capacity and commercial networks, as well as their equal access to and equal opportunity to participate in scientific and technological areas.

86. The agricultural sector remains the main source of income for the majority of the population in developing countries. Its marginalization from the overall process of economic development should be avoided. Agricultural policies should particularly aim at increasing food production, improving access to food by low-income people and enhancing the income-generating potential of agriculture. Developing countries, with the support of the international community, should promote the development of small and medium-sized agro-industries and cooperatives and improve the processing, transportation, distribution and marketing of food and other agricultural products. Governments should enhance, at the national and local levels, rural women's income-generating potential by facilitating their equal access to and control over productive resources, land, credit, capital, property rights, development programmes and cooperative structures.

87. The industrial sector constitutes one of the key factors in sustained economic growth and in achieving social objectives. In order to promote industrial development, policies in this area should be geared towards ensuring the legal and institutional framework that fosters entrepreneurship and attracts foreign investment, protecting intellectual property rights and facilitating technology cooperation. Moreover, special support should be given to the promotion and development of environmentally sustainable industry and attention needs to be directed to rural industrial development, to industrialization programmes for marginalized segments and regions, and to enhancing the role of women in industrial development.

88. The services sector is of increasing importance for the economies of developing countries. Developing countries should continue to pursue policies to create conditions for the development of their national services sector through the modernization of the necessary infrastructures. Measures should include enhancing the efficiency of domestic sectors by encouraging human resource development and by ensuring appropriate investment policies.

89. All countries should enhance the efficiency of domestic service sectors through greater internal and external competition and by ensuring the transparency, effectiveness and non-discriminatory nature of domestic regulations, in accordance to each country's commitments, and with the provisions of GATT, including article IV on the increasing participation of developing countries. The developing countries face a major challenge of strengthening their domestic services' capabilities to derive full benefits from the implementation of the General Agreement on Trade in Services. In this context, as reaffirmed in the ninth session of UNCTAD, appropriate technical assistance should be extended to the developing countries to develop and strengthen their service sectors to help ensure that they reap the maximum benefits from liberalization of trade in services.

90. The domestic sectoral policies elaborated by developing countries should be supported by a favourable international action. Trade liberalization should be pursued on a global basis. It should include the liberalization of market access in sectors and modes of supply of exports of interest to developing countries and should cover access to technology on a commercial basis, to distribution channels and to information networks. With the growing internationalization of the services sector, further action should be taken to facilitate the participation of developing countries in international service transactions.

B. Social development

91. Equitable social development is a necessary foundation for development and an important factor for the eradication of poverty. The commitments agreed at the World Summit for Social Development should be fully implemented.

92. The ultimate goal of development is to improve and enhance human well-being and the quality of life of all people. Social development is best pursued if Governments actively promote empowerment and participation in a democratic and pluralistic system respectful of all human rights and fundamental freedoms. Efforts to sustain broad-based economic growth reinforce the promotion of social development. Processes to promote increased and equal economic opportunities, to avoid exclusion and overcome socially divisive disparities while respecting diversity are also part of an enabling environment for social development.

93. It is the primary responsibility of States to attain social development. But the international community, the United Nations system, the multilateral financial institutions, all regional organizations and local authorities, and all actors of civil society also need to contribute their own share of efforts and resources to promote social development and to reduce inequalities among people and narrow the gap between developed and developing countries. As part of these shared responsibilities, interested developed and developing country partners could agree on mutual commitments to allocate, on average, 20 per cent of ODA and 20 per cent of their national budget, respectively, to basic social programmes.

1. Eradication of poverty and hunger

94. Poverty continues to affect far too many people in the world. Hunger and malnutrition, ill-health, lack of access to safe drinking water, low access to education and other public services and resources, exclusion, lack of participation and violence are some of the many aspects that characterize poverty. Widespread poverty affects the future of societies, as children growing up in poverty are often permanently disadvantaged. The burden of poverty is disproportionately borne by women. Though poverty occurs in all countries, its extent and manifestation are particularly severe in developing countries.

95. The goal of eradicating poverty in the world is an ethical, social, political and economic imperative. It can only be achieved through a multidimensional and integrated approach, that combines programmes targeted at people living in poverty with policies and strategies that meet the basic needs of all, strengthen their productive capacities, empower them to participate in decision-making on policies that affect them, ensure access of all to productive resources, opportunities, public services, and enhance social protection and reduce vulnerability. Sustained and broad-based economic growth, social development and environmental protection are crucial for raising living standards and for eliminating poverty in a sustained manner.

96. At international conferences organized by the United Nations in the recent years, Governments committed themselves to meet the basic needs of all. High priority should be placed on achieving and monitoring the goals and targets set in the areas of education, health, food security, shelter and access to safe drinking water and sanitation, in partnership with major development actors.

97. At the Social Summit, it was decided to formulate or strengthen, preferably by 1996, national policies and strategies geared to substantially reducing overall poverty in the shortest possible time, to reducing inequalities, and eradicating absolute poverty by a target date to be specified by each country. National budgets and policies should be designed with the strategic objective of meeting basic needs, eradicating poverty and reducing inequalities.

98. The eradication of poverty requires determined national actions. At the same time, the international community, bilaterally and through the multilateral financial institutions and other international organizations, should support the efforts of developing countries in the eradication of poverty and in ensuring basic social protection.

99. Commitments and targets agreed upon since 1990 to achieve the overall goal of poverty eradication should be fully implemented by Governments, in partnership with all development actors, the United Nations system, including financial institutions, NGOs and the international community as a whole. The United Nations system should make every effort to enhance the coordination of actions relative to poverty eradication, and to support developing countries and other countries in that endeavour.

100. Hunger and malnutrition continue to be the fate of hundreds of millions of people, most of whom live in Africa and the least developed countries. Eliminating hunger and malnutrition and achieving food security are major objectives of this agenda. Therefore, the institutional structures of the United Nations system must be made more effective in this respect.

101. The key to increasing food production lies in sustainable development of the agricultural sector and in improving market opportunities. Solving the problems in developing countries calls for improving agricultural productivity, but also for financial incentives to encourage investment in agriculture. It is also important to promote secure land tenure and access to resources and technology for farmers, in particular women, whose role is crucial in food supply and food security. The macroeconomic and trade policy issues and the social factors that constrain and limit the achievement of food security in least developed countries should also be addressed.

102. The international community should support the efforts of Africa and the least developed countries to increase food security. It should strive to ensure coordinated and rapid delivery of food assistance in situations of transitory food insecurity, in full awareness of longer term national and local development objectives and of the need to improve access to food of the most vulnerable groups of the population.

2. Employment

103. Creating adequately and appropriately remunerated employment for all and reducing unemployment and underemployment are essential for combating poverty and for promoting social integration.

104. Pursuing the goal of full employment should be a basic priority of economic and social policies, so as to enable all men and women to attain secure and sustainable livelihoods through freely chosen productive employment and work. At the WSSD, Governments agreed on those common goals, and on a set of objectives, policies and strategies to achieve them.

105. Economic growth as well as the expansion of productive employment should go hand in hand. The expansion of adequately and appropriately remunerated employment and the reduction of unemployment should be placed at the centre of economic and social policies with the participation of employers, workers and their respective organizations. The basic rights and interests of workers and the quality of jobs should be ensured and the relevant conventions of the International Labour Organization (ILO) should be fully respected. Also essential is to ensure equal employment opportunities for women and men. Special efforts should be made against long-term and structural unemployment and underemployment, particularly among youth and women. In employment creation, employment development strategies should take into account the role of self-employment, entrepreneurship, small and medium size enterprises, and of the informal sector.

106. The United Nations should elaborate ways and means to implement, follow up and assess the outcome of the Social Summit in relation to the goal of full employment through expansion of productive employment and the reduction of unemployment. The General Assembly, through the Economic and Social Council with the support of the Commission for Social Development and other relevant bodies as well as the World Bank and the IMF, should be involved in the implementation, follow-up, and assessment of international commitments on employment. The ILO, because of its mandate, has a special role to play in this regard.

3. Social integration

107. The aim of social integration is to create "a society for all", where every individual, each with rights and responsibilities, has an active role to play. Since the founding of the United Nations, the quest for humane, stable, safe, tolerant and just societies has shown a mixed record. While progress has been achieved in many areas, there have also been negative developments, such as social polarization and fragmentation, widening disparities and inequalities of income and wealth within and among nations, and marginalization of people, families and social groups. Even entire countries have been negatively affected due to rapid social change, economic transformation, migration and major dislocations, particularly in areas of armed conflicts and violence in its various manifestations.

108. These are compelling reasons for actions by Governments, individually and, as appropriate, jointly, to foster social cohesion, while recognizing and protecting diversity. An inclusive society must be based on respect for all human rights and fundamental freedoms, on non-discrimination, tolerance, equality of opportunity, solidarity, security, respect for diversity, and on participation of all people, including the vulnerable and disadvantaged groups and persons. The problems of crime, violence and abuse of and trafficking in drugs should also be addressed. International cooperation in the area of drugs should be reinforced in accordance with the Global Programme of Action adopted in the context of the international decade to fight drug abuse. In this context, the convening of a special session of the General Assembly in order to consider the fight against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities, and to propose new strategies, methods, practical activities and specific measures to strengthen international cooperation in addressing the problem of illicit drugs is of the highest importance.

4. Human resources development

109. At the World Conference on Education for All and the World Summit for Social Development, Governments committed themselves to ensuring universal access to quality education, attaining the highest attainable standards of physical and mental health, and to ensuring access of all to primary health care. This should include efforts to rectify inequalities relating to social conditions, race, national origin, age, disability, and between urban and rural areas. Appropriate steps should be taken to close the gender gap at all levels of education and to ensure the full access of women to health care throughout the life cycle.

110. Quality education is critical for enabling people to develop their full capacities in health and dignity, and to participate actively in the social, economic and political process of development. It is also crucial for achieving the objectives of economic development. Education and vocational training are the key to higher productivity, and allow faster and easier adaptation to technological and economic change. They are vital for job creation and combating unemployment, and for sustained growth.

111. Resolute and vigorous national actions are crucial for developing human resources. Governments have committed themselves to formulating or strengthening strategies for the eradication of illiteracy and universalization of basic education. The link between education and training and labour market policies should be strengthened, so as to facilitate the adaptation of workers and employers to changing economic conditions, technologies and labour markets. Not only should the importance of higher education and scientific research be emphasized, but also of broadening the means and scope of basic education, of enhancing the learning environment and of promoting lifelong learning.

112. From the perspective of the economy at large, it is of great importance that the requisite policies be applied to ensure human resources development, including a satisfactory level of education and training of the workforce and increasing their receptivity to technological innovations, in particular in the field of information technology.

113. Efforts to achieve the goals of national "Health-for-All" strategies, in line with the Alma Ata Conference Declaration on Primary Health Care, should be expedited. The need for an integrated and intersectoral approach to health strategies has been recognized, as well as the importance of strengthening national and international efforts to prevent and combat epidemics and other diseases that are endemic in many developing countries, and in particular to address malaria and the spread of HIV/AIDS more effectively.

114. At previous international conferences, Governments agreed upon a set of goals and objectives for national and international efforts in the area of education and literacy, and health, in particular for maternal and child health and the control of major communicable diseases. We are committed to achieving those goals within the time-frame we agreed to.

115. Enhanced international cooperation is also called for to advance human resource development. Concerted efforts should be made to support the efforts of developing countries, especially the least developed countries, and other countries in need, to develop their human resources. Developed countries have an important role to play. Human resources development and institution-building can also be promoted through cooperation among developing countries. International organizations, including the international financial institutions, must give high priority to supporting the objectives of human resources development and to integrating them into their policies, programmes and operations. Support might include, *inter alia*, exchange of information, training and skill development programmes, as well as the provision of other forms of assistance.

5. Human settlements

116. More people than ever are living in absolute poverty and without adequate shelter. Inadequate shelter and homelessness are growing plights in many countries, threatening standards of health, security and even life itself. Urban settlements have the ability to support large numbers of people while limiting their impact on the natural environment. Yet many cities are witnessing harmful patterns of growth, of production and consumption, of land use, of mobility and of degradation of their physical infrastructure.

117. At the United Nations Conference on Human Settlements (Habitat II), the international community adopted the goals and principles of adequate shelter for all and sustainable human settlements development in an urbanizing world. It reaffirmed its commitment to the full and progressive realization of the right to adequate housing, as provided for in international instruments. The international community also subscribed to the principles and goals of equitable human settlements, in which all people have equal access to housing, infrastructure, health services, adequate food and water, education and open spaces. It affirmed that eradication of poverty is essential for sustainable human settlements.

118. Sustainable development is essential to human settlements development and gives full consideration to the needs and necessities of achieving economic growth, social development and environmental protection. Special consideration should be given to the specific situation and needs of developing countries, and, as appropriate, of countries with economies in transition. Human settlements shall be planned, developed and improved in a manner that takes full account of sustainable development principles and all their components, as set out in Agenda 21 and related outcomes of the United Nations Conference on Environment and Development.

119. Formulation and implementation of strategies for human settlements development are primarily the responsibility of each country at national and local levels within the legal framework of each country. National plans of action and/or other relevant national programmes and actions to achieve the goals of adequate shelter for all and sustainable human settlements development will need to be developed or strengthened, where appropriate, and their implementation will need to be monitored and evaluated by governments in close cooperation with their partners in development at the national level. There is also a need for an enabling international environment and for integrated approaches at the national and international levels to support these efforts.

120. New and additional financial resources from various sources are necessary to achieve the goals of adequate shelter for all and sustainable human settlements development in an urbanizing world. The existing resources available to developing countries - public, private, multilateral, bilateral, domestic, and external - need to be enhanced through appropriate and flexible mechanisms and economic instruments to support adequate shelter for all and sustainable human settlements development. These should be accompanied by concrete measures for international technical cooperation and information exchange.

121. The United Nations system, in cooperation with all States and with relevant international and non-governmental organizations also has a key role to play in promoting international cooperation on the provision of adequate shelter and sustainable human settlements development in an urbanizing world as well as in rural areas.

C. Empowerment of women

122. While the status of women has advanced in some important respects in the past decade, progress has been uneven, inequalities between men and women have persisted and major obstacles remain to women's empowerment, with serious consequences for the well-being of all people.

123. The Declaration and Platform for Action adopted at the Fourth World Conference on Women are important contributions to the advancement of women worldwide and must be translated into effective action by all States, the United Nations system and other organizations concerned as well as non-governmental organizations.

124. Empowering women is essential for achieving the goals of sustainable development centred on human beings. It requires appropriate public policies to ensure that women enjoy all human rights and fundamental freedoms and participate fully and equally in all spheres of public life, including in decision-making. Public policies to promote women's economic potential and independence and their full and equal participation in development are also essential for women's empowerment. Before decisions are taken in the areas of social and economic development and of the environment, an analysis should be made of their impact on women and men respectively.

125. Measures should be taken to ensure the full enjoyment by women and the girl child of all human rights and fundamental freedoms. Actions to be taken by States in this regard include fulfilling their commitments regarding the ratification of, accession to and the implementation of the Convention on the Elimination of All Forms of Discrimination against Women so that universal ratification of the Convention can be achieved by the year 2000, and avoiding as far as possible resorting to reservations. Measures should also be taken to ensure women's full and equal access to economic resources and social services through full respect for their human rights and fundamental freedoms.

126. Measures are needed to ensure women's equal access to education and to training and retraining. The targets set by the Fourth World Conference on Women for achieving gender equality in primary and secondary education should be implemented. Measures should be taken to ensure women's equal rights with men, equal access to economic resources and social services, including, inter alia, land, credit, science and technology, vocational training, information, communication, markets, education, and the right to inheritance. Eliminating occupational segregation and wage inequality, creating a flexible work environment that facilitates the restructuring of work patterns and the sharing of family responsibilities, are also major goals. Methods should be developed for assessing the value of unremunerated work outside national accounts. Policies and development strategies that address the needs and efforts of women living in poverty should be reviewed, adopted or maintained in line with the recommendations of the Beijing Platform for Action.

127. Measures are also needed to achieve women's full participation in decision-making processes in all walks of life and at all levels. The success of policies and measures aimed at supporting or strengthening the promotion of gender equality and the improvement of the status of women should be based on the integration of the gender perspective in general policies relating to all spheres of society as well as the implementation of positive measures with adequate institutional and financial support at all levels. Enhanced participation by women will also contribute to ensuring that all policies and programmes are designed, implemented and monitored in full awareness of their possible or actual gender-specific effects.

128. The Beijing Declaration and Platform for Action should be urgently implemented in its entirety. Adequate mobilization of resources at the national and international levels, as well as new and additional resources to developing countries from all available funding mechanisms to strengthen the advancement of women, are required. The implementation of the Nairobi Forward-looking Strategies for the Advancement of Women - aimed at achieving equality by the year 2000 - should be accelerated. Also called for is implementation of the relevant sections of Agenda 21 and of the Programmes of Action adopted by the International Conference on Population and Development and by the World Summit for Social Development, as well as of the Geneva Declaration on the Economic Advancement of Rural Women and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights.

D. Rights of the child

129. Children are the most important resource for the future. Greater investment in children by parents and societies is essential to the achievement of sustained economic growth, social development and environmental protection. Therefore, the promotion, to the fullest extent, of the health, well-being and potential of all children, adolescents and youth is a crucial objective. The international community expressed its commitment to that objective when it adopted the Convention on the Rights of the Child and at the World Summit for Children. We call for full implementation of the Convention on the Rights of the Child and encourage States to remove all reservations to that Convention.

130. Measures must be undertaken by States, with the support of the international community, to achieve, by the year 2000, the goals contained in the plan of action adopted at the World Summit for Children and to reach the goals set by subsequent international forums for the year 2000 and beyond. The rights of children must be ensured, with special attention paid to the particular situation of girls. Their rights to a standard of living adequate for their health and well-being, including food, clothing, housing and medical care and necessary social services, and their rights to education must be ensured, recognizing the rights, duties and responsibilities of parents and other persons legally responsible for children to provide, in a manner consistent with the evolving capacity of the child, appropriate direction. The efforts of developing countries to achieve those major goals must be supported.

131. Exploitation, maltreatment, child prostitution and child abuse should be combated, and the root causes of these phenomena have to be addressed. Actions are also needed for improving the situation and protecting the rights of children in especially difficult circumstances and ensuring that the vital importance of

family reunification is recognized, in line with the Convention on the Rights of the Child, the Programme of Action of the International Conference on Population and Development, and taking into account the relevant provisions of the 1951 Convention relating to the Status of Refugees.

132. Another key issue with regard to the rights of the child is child labour, which is pervasive in many parts of the world. Overall socio-economic conditions, income uncertainty, women's health and education, schooling opportunities and the size of households all have an impact on child labour. Abolishing child labour requires setting specific target dates for eliminating all forms of child labour that are contrary to accepted international standards, in particular article 32 of the Convention on the Rights of the Child, for ensuring the full enforcement of relevant existing laws, and, where appropriate, for enacting the legislation necessary to implement the Convention on the Rights of the Child, and relevant ILO standards. In this context, priority should be given to the elimination of all extreme forms of child labour such as forced labour, bonded labour and other forms of slavery. National efforts in dealing with the problem of working children can be complemented by international support measures which may include provision of education facilities as well as compensatory support measures for their families.

E. Population and development and international migration

133. The Programme of Action of the International Conference on Population and Development emphasized the importance of translating the Conference's recommendations into actions at all levels. This will involve decisive actions by Governments and increased support from the international community. The effective implementation of the Programme of Action will require an increased commitment of financial resources, both domestically and externally. The developed countries have committed themselves to complementing the national efforts of developing countries on population and development. The Programme of Action includes commitments to increase substantially the availability of international financial assistance to the developing countries in the field of population and development in order to ensure that population and development objectives and goals are met.

134. In this connection, Governments should commit themselves at the highest political level to achieving the goals and objectives contained in the Programme of Action and should take a lead role in coordinating the implementation, monitoring and evaluation of follow-up actions. The Programme of Action endorsed the crucial role of NGOs, reflected in an effective partnership between government and NGOs in all aspects of population and development-related programmes and policies. The capacity of NGOs for entering into such a partnership needs to be enhanced.

135. The Programme of Action and Agenda 21, among others, affirm that demographic trends cannot be considered in isolation from development. Therefore, population programmes are not simply about numbers and demographic targets, but rather about the human beings who are at the centre of population and development activities. Consequently, the Programme of Action is grounded in a development and human rights framework and underscores the need to reconcile the aspirations and requirements of individual women and men with long-term development objectives.

136. Countries have learned much about the relationships between population growth and sustainable development. There is general agreement that persistent widespread poverty as well as serious social and gender inequalities have significant influences on, and are in turn influenced by, such demographic parameters as population growth, structure and distribution. Gender equality, including full and equal access to education by women, and universal access to basic health care services, including those relating to reproductive health services, are essential to achieving population and development objectives. Furthermore, integrating population into economic and development strategies will both speed up the pace of sustainable development and poverty eradication and contribute to the achievement of population objectives and an improved quality of life of the population.

137. Successful reproductive health care, including family planning programmes, must be based on the principle of free and responsible choice of family size and child-spacing, which includes the ability of men and women to make informed decisions on the number and spacing of their children. Such choice calls for

access to the widest possible range of health care programmes and services and for greater support for reproductive health services and appropriate educational programmes.

138. Concomitant support is needed for stronger, better coordinated global actions against major diseases that take a heavy toll of human lives, such as malaria, tuberculosis, cholera, typhoid and HIV/AIDS. In this context, the Joint and Co-sponsored United Nations Programme on HIV/AIDS should be brought into full operation as quickly as possible and the relevant resolutions of the General Assembly and the Economic and Social Council on malaria should be implemented.

139. The international community also has a vital role to play in attaining the objectives of the Programme of Action regarding international migration and development, which reflects the special importance attached to the impact of international migration on both countries of origin and receiving States. The flow of people between countries, and indeed within countries, affects and is affected by the development process. As underlined in the Programme of Action, international economic imbalances, poverty and environmental degradation, combined with the absence of peace and security, violations of human rights and the varying degrees of development of judicial and democratic institutions are all factors in the movement of people.

140. There is a need to formulate or strengthen measures at the national level to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in sectors of many societies, and to promote greater harmony and tolerance in all societies. Ultimately, the long-term manageability of international migration hinges on making the option to remain in one's country a viable one for all people. The possibility of convening an international conference on migration and development could be considered.

F. Environment and development

1. Full implementation of Agenda 21 and other outcomes of UNCED

141. The consensus on and basis for actions at global, regional, subregional, national and local levels to ensure sustainable development has been established by the United Nations Conference on Environment and Development (UNCED) in Agenda 21, the Rio Declaration on Environment and Development and the Non-Legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of all Types of Forests, as well as in all international conventions on the environment and development. Priority must be given to the prompt and full implementation of these commitments and recommendations.

142. At UNCED an integrated approach towards development and environment was adopted, whereby the protection of the environment would constitute an integral part of the development process and could not be viewed in isolation from it. Depletion and degradation of nature and its resources endanger the prospects for development, for our generation and even more so for the future generations. The cost of reversal will be far higher than the cost of prevention. Therefore, sustainable development strategies and programmes which aim at integrating environmental protection requirements into economic, social and development policies should be formulated and implemented at all levels. All States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and development policies and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction, in keeping with the principles contained in the Rio Declaration, Agenda 21 and relevant international environment conventions.

143. Eradication of poverty should have the highest priority on the international agenda. One of the adverse effects of poverty, which affects mostly developing countries, is related to environmental and natural resource degradation. The essential task of eradicating poverty is an indispensable requirement for sustainable development in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world. Strategies aimed at poverty eradication are also important in avoiding degradation of resources.